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Chair

Mr. Bob Mills

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● (1145)

[*English*]

The Chair (Mr. Bob Mills (Red Deer, CPC)): Order, please.

I want to welcome our witnesses.

I apologize for the delay. We're going to be pretty rushed here today.

What I propose is that you take up to 10 minutes for your statements, and then with the time we have left, we'll cut that down for members asking questions. We'll do the math on it, so we get at least one round of questions.

We'll begin with Mr. Carignan.

Dr. Richard Carignan (Full Professor, Department of Biological Sciences, University of Montréal, As an Individual): Thank you for giving me the opportunity—on very short notice, however—to talk about an old problem with known solutions, but perhaps a timely problem for Canada and for Quebec.

I'll make it very simple. If you look at the screen, I've subdivided into two groups all microscopic organisms using photosynthesis. I have what I've called the “other algae”. The algae are mostly harmless, I would say. They're generally useful. They're part of the normal food webs. They're filtered by zooplankton, which is in turn eaten by small fish, eaten by large fish. So they're a part of the normal food webs.

I've called my second group cyanobacteria, and they are often harmful. They're generally inedible. They don't participate as much in normal food webs. They confer a bad taste, a bad odour to water. What's important to us here today is that they may produce toxins, toxins that cause skin irritation and symptoms that are like gastroenteritis. Also, they may affect the nervous system. Because of that, public health departments are aware of cyanobacteria. In Quebec at least, when they observe toxins in the water, they generally close the body of water to most uses.

On my next slide, I have taken a few pictures in lakes and compared them on a scale, which is phosphorus concentration in the water. It goes from 2 to 20 micrograms per litre. And remember that 1 microgram per litre is a very small quantity. It's about one thimblefull in an Olympic-size pool, so it's a very tiny quantity.

Phosphorus is an essential element. Every living organism needs it. But it is also a limiting factor in lakes. It limits the growth of life in lakes. At 4 or 5 micrograms per litre, rocks begin to be slippery with algae growth. At 8 to 10 micrograms per litre, we begin to see nuisance aquatic plants. Above 15 or 20 micrograms per litre, the water tends to turn pea-soup green or broccoli-soup green, as you prefer, but there's clearly too much phosphorus.

In Quebec, in the Laurentian lakes where I work, we tend to see cyanobacteria at phosphorus levels ranging between 8 and 10 micrograms per litre, cyanobacteria developing toxins that close down all the uses of a lake.

It's important to note that cyanobacteria are a natural phenomenon, especially in the shallow lakes that have surrounding soils rich in phosphorus. I took that picture in Alberta. There has never been any human development on the watershed, but you can still see cyanobacteria in this lake. So it's a natural occurrence.

The natural phosphorus loads to lakes and rivers are generally small. But it is an essential element, as I said. Naturally, it comes from atmospheric fallout, wet and dry fallout. It also comes from streams. Phosphorus is lost by forests, wetlands, beaver impoundments, and so on. So these are the natural sources of phosphorus in aquatic systems, and phosphorus concentrations are naturally low.

● (1150)

With regard to phosphorus pollution, humans have increased a lot the phosphorus concentrations in many aquatic systems. It's not a recent problem, it's an old problem, and there are many causes for it. In decreasing order of importance, I would say the first cause is unsustainable agriculture. By that I mean agriculture that has always maximized crop yield but never looked at the quality of the receiving waters. Phosphate in household detergents is also still a big problem, as is industrial urban effluence, by which I mean outdated sewage treatment facilities. Those are very common in Quebec at least; I don't know about the other provinces in Canada. As well, the use of fertilizers on lawns and gardens, deficient septic systems, excessive forest clearance in watersheds, and excessive residential development on lakeshores are all potential important sources of excess phosphorus in aquatic systems.

Some of these sources will be hard to deal with. It will take generations to fix the problem. Some, like phosphates in household detergents, we could get rid of within a few months.

In terms of solutions for excessive phosphorus, there are long-term solutions and short-term solutions. I think in the next generation or two we'll have to revise our agricultural system—that is, what should we produce, how should we produce it, and what is the best way to produce it without affecting the receiving waters?

As an example, in Baie Missisquoi on Lake Champlain, you're looking at about 100 square kilometres of water that contains far too much phosphorus, far too much algae, and far too much cyanobacteria. All the uses of that water, including skiing and swimming, are forbidden.

Again, let's look at Baie Missisquoi. I'll focus on that little spot just to indicate what I mean by sustainable agriculture. Looking at this small spot, magnified, I think in the next generation we will have to combine agriculture, silviculture, and forestry on wide buffer strips. The present buffer strips are about five metres, and they're not even enforced. We should do silviculture and forestry on wide buffer strips in order to combine spots that lose nutrients with spots of nutrient sources, the forest, in order to minimize phosphorus and nitrogen fertilizer losses to rivers, streams, and lakes.

Phosphorus in dishwasher detergent is an important source that we could easily deal with. In 1972 the Canada-U.S.A. agreement on Great Lakes water quality limited phosphorus in laundry detergent to 2.2%. Apparently, and I don't exactly know the reason, dishwasher detergent slipped through the cracks, as far as I understand the problem.

I've fooled around in the last few years measuring phosphorus in dishwasher detergents. Remember that about 55% to 60% of households now have dishwashers. Dishwasher detergents are still full of phosphorus, especially these new gel caps that are widely advertised on TV right now. They are the richest in phosphorus. I've calculated very roughly that dishwasher detergents can contribute from 5% to 20% of the phosphorus load from the average household.

That's a fairly big number. And I'm being very conservative here; countries like Switzerland estimate on the higher side, that 20% of phosphates now come from dishwasher detergents.

Several American states and some European countries have completely banned phosphorus from all household products. Other states, such as Massachusetts, right now have bills in front of their legislatures.

● (1155)

Read this:

> No household cleansing product which contains a phosphorus compound in concentrations in excess of a trace quantity...shall be distributed, sold, offered or exposed for sale at retail...or used in a commercial establishment in the commonwealth after July 1st, 2010.

This is what is coming elsewhere in the world.

I'm going to ask a question: why are we behind in Canada?

That's all. Thank you.

The Chair: Thank you very much.

We'll move on to Dave McCartney, please.

Mr. Dave McCartney (Manager, Wastewater and Drainage Service, City of Ottawa, Canadian Water and Wastewater Association): Good morning.

Thank you for this opportunity to address the committee on behalf of the Canadian Water and Wastewater Association. I hope my remarks are helpful.

[*Translation*]

Good morning. Thank you for this opportunity to address the committee on behalf of the Canadian Water and Wastewater Association. I hope my address will be of use to you.

[*English*]

I'll be talking, primarily from the perspective of a municipal engineer, about the implications for phosphorus of the effective treatment of waste water.

As has been mentioned, phosphorus is an essential nutrient that supports the growth of algae and other biological organisms. Algal blooms are undesirable because of the potential for the production of toxins that are dangerous to humans, livestock, and wildlife. Fortunately, modern drinking water purification systems can effectively remove these toxins, and in the case of the Ottawa River, the presence of algal toxins in the incoming water from the Ottawa River has never been detected.

A second problem with algal blooms is that when the algae die off, the decomposition process depletes the water of oxygen. This can result in fish kills. This process is known as eutrophication.

For these reasons, it is important to control the amount of phosphorus that enters surface waters from municipal waste water treatment plants and natural surface runoff.

The amount of phosphorus that can be discharged into a given water body, without triggering algal blooms, is dictated by its assimilation capacity. Assimilation capacity is affected by a number of factors, such as the physical size of a lake and the flow rate of a river.

For example, the Ottawa River has significant assimilation capacity. It is large and doesn't have high background levels of phosphorus. For this reason, the discharge criterion for the city's waste water treatment plant, the Robert O. Pickard Environmental Centre, is set by the Ontario Ministry of the Environment at 1 milligram per litre, or one part per million.

In contrast, the Rideau River has very little assimilation capacity. It's relatively small and already degraded by nutrients coming primarily from agricultural activity and urban stormwater runoff. The city operates a small pilot plant in the village of Manotick that discharges into the Rideau River. Its effluent limit for phosphorus is set at 0.03 milligrams per litre, only 3% of the concentration that can be discharged into the Ottawa River. This kind of treatment is both difficult to achieve and very expensive.

Municipal waste water typically contains between 4 and 16 milligrams per litre of various phosphate compounds, in both dissolved and solid forms. In Ottawa, it's about 5 milligrams per litre, which does not sound like much, but it translates into about 750 metric tonnes per year.

Now modern secondary waste water treatment plants, such as Ottawa's, have very little difficulty achieving the 1 milligram per litre discharge target. An important point is that if you have modern sewage treatment, the technology is there, it's proven, and you can stay within those kinds of limits. To get down to the very low limit, which I was speaking about before, is problematic, and it's probably right on the cutting edge.

Phosphorus is removed from waste water in three ways. First, in the primary treatment process, the waste water is slowed down by passing through large tanks to allow heavier solid material to settle out. Biological removal and chemical precipitation occur in the secondary treatment process. In the case of the Pickard centre, this is called the activated sludge process.

Naturally occurring bacteria are used to absorb organic material, including dissolved phosphorus and iron or aluminum salt. In our case, ferrous chloride is added to convert dissolved phosphorus into a solid form that will precipitate out of the water. After being aerated to encourage bacterial growth, the mixture is allowed to settle out in large clarifiers, and the clean water is removed from the surface and discharged into the river.

The settled sludges are removed, returned to the beginning of the secondary treatment process, and added to the incoming waste water. It's important to maintain the correct balance between the amount of return sludge and incoming waste water. So excess material is removed to maintain the balance.

The waste material removed in the primary and secondary treatment process is pumped into large enclosed vessels known as anaerobic digesters, where different types of bacteria break down the organic material to produce water, carbon dioxide, and methane gas.

In Ottawa's case, the gas is removed and used in a cogeneration plant to produce electricity and hot water for plant processes and building heating. This saves the city about $1.4 million net in electricity and natural gas purchases.

The stabilized digested sludge, commonly referred to as biosolids, are then dewatered in centrifuges, much like the spin cycle of a dryer. The biosolids are about 33% solid and have the consistency of wet soil.

Ottawa's biosolids are beneficially recycled, either as a supplement in the manufacture of compost or directly by land application. In both cases, the phosphorus in the biosolids is available as a nutrient. This is a fairly common practice across the country.

● (1200)

As I mentioned previously, stormwater runoff also contains phosphorus from animal feces and fertilizer. In new urban developments, stormwater management ponds are used both to hold back storm flows to prevent erosion of downstream creeks and rivers and to provide passive treatment of organic waste and bacteria. Heavier materials settle out, and the action of plants and bacteria, including algae, remove organic materials and nutrients such as phosphorus. These ponds are capable of removing up to 95% of the incoming phosphorus.

Some of the sequestered phosphorus is eventually released when the plant life dies off in the fall. This is not problematic since the receiving water is too cold to support algal blooms.

That concludes my presentation.

The Chair: Good. Thank you very much.

Mr. Friesen, please.

Mr. Bob Friesen (President, Canadian Federation of Agriculture): Thank you very much, Mr. Chair. It's a pleasure to be here.

To tell you a little bit about the Canadian Federation of Agriculture, CFA is a federation of farm organizations. It counts as its members a general farm organization out of every province as well as numerous national commodity organizations. By virtue of our membership, we represent every agricultural commodity that's produced in every region of Canada.

To preface my comments on the issue that's in front of us, let me also say that Canadian farmers are coming out of the worst four years of net income in their entire history. They have record farm debt. I say that not because this is the committee to ask for more money for farmers, but because the challenge of net income has resulted in farmers' increasing their productivity, achieving better efficiencies, and an emphasis on farmers' reducing their input costs.

This in turn has had an influence on agriculture's contribution to the level of phosphorus in our waterways in Canada. How has that happened? Well, to reduce their input cost, farmers have gone to much more soil testing, and much more specific soil testing to determine what level of fertilizer they need to apply. They have much better management of spreading animal nutrients on land, as well as the volume and/or level of animal nutrients that are spread on the land; and much better erosion prevention, because again, this impacts on productivity and efficiency. There is no over-fertilization. Farmers simply can't afford not to make sure that the equilibrium in fertilizer application and what the crop can utilize isn't thrown out of whack. They're quite prepared to go to any sort of education program that will help them do all of these things much better.

Farmers are also quite willing to be accountable and responsible. The only thing farmers are not willing to be is responsible or accountable for a disproportionate level of blame for any problem we might have.

We know that fertilizer is absolutely essential in the production of food and fibre and that animal nutrients are inevitable, so what is the solution? What is the key?

We believe that management is the solution and the key. For years farmers have implemented and developed better and better nutrient management plans and improved their environmental farm plans and best management practices. That is exactly why the Canadian Federation of Agriculture members have put so much emphasis on what we call a public goods and services pillar in the next generation of the agricultural policy framework. We believe that good incentive-based public goods and services initiatives in the agricultural policy framework will help farmers do what they otherwise could not afford to do.

For example, some of you may have heard of the agricultural land use services initiative, which we've talked about for quite some time. It's an incentive-based program that helps farmers perhaps develop bigger buffer zones. It helps farmers take unproductive land out of production. They could take land that is prone to erosion out of production, but there would be incentives applied to that. They also believe that any of these actions helps meet social expectations.

They know they can't pass these added costs on to the marketplace, so they believe the public should help them pay for some of the costs of implementation through incentive-based programs.

This is a win-win-win. First of all, it's a win for farmers and the general public because it creates a stronger crosswalk between farmers and the public in recognizing that farmers are trying to meet social expectations. This helps farmers do what they otherwise could not afford to do. It's a win for governments because it would eventually decrease the load on business risk management money or, as some of you may know them, safety net programs. It would be a win again for the general public because it would help preserve Canada's natural capital.

● (1205)

Again, let me say that farmers are willing to be accountable and responsible, not for more than their contribution to the challenge or situation we have at hand, but to continue to improve what we think is the key and solution to any challenges with phosphorus, and that is best management practices, animal nutrient management, as well as environmental farm plans.

Thank you very much, Mr. Chair.

● (1210)

The Chair: Thank you, Mr. Friesen.

Mr. Carey.

Mr. John Carey (Director General, Water Science and Technology, National Water Research Institute): Thank you, Mr. Chair.

I'd first like to point out that I've been accompanied today by one of Environment Canada's scientists, Dr. Susan Watson, who is available for any detailed technical questions.

Also, I believe you have a copy of my presentation, and in the interest of time, I don't propose to read the whole thing. I'd perhaps just touch on a couple of highlights and make some closing comments, if that's all right.

The first part of the presentation talks about harmful algal blooms and some of the complexities of them. In particular, some of the features that make it rather difficult for us to accurately and quantitatively assess risk from these include the fact that the cyanobacteria that produce the toxins don't always produce them. The triggers that cause them to produce toxins are poorly understood. So you could have a bloom of cyanobacteria that you could see in the pictures but without their producing toxins; in other cases, they can produce toxins, be liberated into the water, and the bloom will disappear and the toxins remain.

As for the microcystins produced by one particular species of cyanobacteria, we know of 90 different versions of microcystins and probably 200 or so related peptides that are toxic. This makes chemical analysis of them in monitoring programs a challenge; and we don't actually have analytical standards for many of the toxins that are produced.

So the highlight of the first section, or the take-home fact, is that individual species produce compounds that are different in potency, toxicity, and stability; and even within a species, there's a lot of complexity in what's produced.

We certainly agree, and have been studying these blooms right across Canada, including in prairie dugout lakes, such as Lake of the Woods and Lake Winnipeg—and Lake Erie has some similar types of blooms. In fact, pictures of Lake Winnipeg and Lake of the Woods would look very similar to the pictures Dr. Carignan presented to you.

On the potential for toxicity from these species, we've highlighted three factors on page 3 of the presentation. The potential for toxicity increases with eutrophication and, most notably, phosphorus loading. And some of Dr. Watson and her colleagues' research has indicated that algal populations with more than 50% of their population made up of cyanobacteria seem only to occur above 10 micrograms per litre of phosphorus. That's in the ballpark Dr. Carignan presented; he suggested 8 micrograms, but that's within a margin of error. So we would agree with that.

Some of the other important things we would highlight include temperature and extreme conditions. As our climate warms and growing seasons become longer, we anticipate being subjected to more severe blooms. In addition, in areas such as Lake Erie, or elsewhere in the Great Lakes, the introduction of exotic species like zebra mussels has changed the ecology. In the scientific community, we have a phenomenon we're looking at right now called the nearshore shunt, in which zebra mussels growing in shallow water seem to be trapping a lot of phosphorus, and giving rise now to a reoccurrence of algae. We thought we had eliminated some of the nearshore algae problems, but they're coming back now, and we believe these are likely related to the exotic species—zebra mussels—concentrating phosphorus in the nearshore water, putting the concentration up above 10 micrograms per litre and giving rise to some of these nuisance species.

In our 2001 report on nutrients in the environment—which this committee asked for in 1998-99—we did attempt to quantify as best we could the sources of phosphorus in the Canadian environment. In that report, the figures we quoted were that agriculture was the major source, at 56,000 tonnes annually. Municipal discharge we estimated to be 7,900 tonnes. These figures are not in my document, by the way. Industrial discharge was 2,000 tonnes, septic systems were less than 2,000 tonnes, and aquaculture was 500 tonnes. What this means, according to the 1996 figures, is that municipal discharges contribute about 12% of the total discharge of phosphorus.

● (1215)

Also in that report, you'll see that we estimated, as best we could based on 1996 numbers, that of that municipal discharge contribution, about 7% of it would be coming from dishwasher powders. That means that of the total discharge to the Canadian environment based on our numbers and that report, just under 1% of it would be coming from dishwasher powders.

The major source is agriculture. That's why, since that report, we've been focusing on what we can do working with the farming community to try to reduce agricultural contributions. Some of the projects we've had under way include the development of better beneficial management practices that could be employed.

In particular, we're concerned about some in the prairie provinces, because it looks as though the soil conditions there mean that the phosphorus is mostly dissolved, not bound on solids. So whereas in eastern Canada the beneficial management practices are foresting or at least having better cover along the riparian areas, such as Dr. Carignan mentioned, to prevent soil erosion, it looks as though that might be ineffective as a phosphorus control practice in western Canada if the phosphorus is largely dissolved and not bound on soil. So we're studying what can be done in places like the Red River Basin to develop beneficial management practices that are regionally relevant to local conditions. We're working with agriculture to do that, developing standards that would be linked to the environmental farm plans that were mentioned. That's how we see them being applied.

We've also initiated this year a study to try to link individual farms and sub-watersheds to their recipient water downstream. A farmer way upstream in the Red River may not actually personally connect with Lake Winnipeg and their contribution to the water. We are trying to develop this on a watershed basis, and we hope this will eventually be part of a broader Lake Winnipeg Basin initiative. Models would integrate the application of beneficial management practices throughout a watershed and tell us what that might achieve for a downstream water body in terms of the total loading of phosphorus.

We're trying to develop practices that will both attack this and reduce this agricultural source, along with better tools that would allow us to link individual farmers to the downstream environmental outcomes, so they can clearly identify their contribution to being part of the solution.

In addition to that, we're trying to better quantify inputs of septic systems to nearshore areas. We're focusing for the moment on Lake Huron, where there are nearshore algal growths and beach closures that we think might be due to septic systems. We hope in the future to do that on Lake Winnipeg as that initiative increases, and also on Lake Erie.

We think the best approach to this is on a watershed receiving water approach, looking at the total loading for each system, since it seems to us that the systems could be quite different. A Laurentian lake, for example, is likely to be quite different from a water body like Lake Winnipeg, which has a contributing area of nearly a million square kilometres, largely agricultural.

We're trying to develop those ecosystem-based, watershed-based approaches, based on loading to the sensitive water body. A couple of things come to mind as you consider this question, and I think we can be guided to some extent by history. In the 1970s, when the Government of Canada regulated phosphorus content in laundry detergent, what we saw was a switch to nitrilotriacetic acid initially, and now there are many other detergent builders. Nitrilotriacetic acid was the substitute for phosphate in laundry detergent.

Just this year we included—we screened in—in the domestic substance list screening, nitrilotriacetic acid, based on human health effects. It's important, if you're going to promote substitutions, to understand the toxicity of the products that will be substituted.

The second thing that happened when we regulated nutrients, when we reduced nutrients in places like Lake Erie, is that eventually when we got the numbers down to near our targets.... Of course phosphorus is essential for productivity as well, and so you have a trade-off. Eutrophication of course is overproductivity, but you have a trade-off between productivity of the system and effects due to eutrophication.

● (1220)

What we saw on the south shore of Lake Erie and in Ohio were fishermen groups complaining that we'd cut the phosphorus down too low and the walleye were too small. They launched campaigns to have phosphorus additions. There were even suggestions in Lake Ontario—although we didn't believe them—that we'd reduced the phosphorus so low that we couldn't support the salmon we were stocking.

There's a balance to be considered as well with respect to the impacts of banning something; there are potential effects that also need to be considered.

Thank you for the opportunity to make these comments.

The Chair: Thank you, Mr. Carey.

Members, as you can see, we do have a problem with the time.

I'm going to say two minutes now, just so we can get one round. If you can be very concise and if the answers can be very precise, it will help us a lot.

Go ahead, Mr. Scarpaleggia.

Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.): Please be brief in your answer.

Mr. Carey, what would Dr. David Schindler's opinion be about initiating a total ban on phosphates? Apparently there are still some quantities left in laundry detergents and in dishwashing detergents. Would he be for or against it, in your opinion? I know you can't speak for him, but do you know if he's been on the record one way or the other?

Mr. John Carey: I think he would generally be for reductions on phosphorus. I suspect that he would tell you, as I have, that the major source is agricultural sources. If we really want to reduce them, we need to—

Mr. Francis Scarpaleggia: Thank you very much.

Dr. Carignan, why do you think European nations and some states have asked for a total ban when there are some balancing effects to take account of?

Dr. Richard Carignan: It's because it is a problem.

John Carey's estimates and mine are no different. In the Laurentians there's no agriculture, and you can find lots of lakes with excessive phosphorus problems. If you attempt to trace that excessive problem to sources, you come back to septic systems, to outdated sewage of fluids—

Mr. Francis Scarpaleggia: Excuse me for interrupting, but we have so little time.

Would you think, then, that we should have a watershed approach to these issues?

Dr. Richard Carignan: No, no. It's far—

Mr. Francis Scarpaleggia: Should we just ban phosphates altogether in detergents?

Dr. Richard Carignan: It would be far simpler to ban phosphates from any household products, as some American states and some European countries have done already.

Mr. Francis Scarpaleggia: Okay.

Maybe Mr. Carey could answer this. You'll recall when the government added road salts to the toxic substances list. What it ended up doing with the municipalities was to develop a road salt management plan to reduce the use of road salts. I suppose that would fall under the rubric of a federal initiative.

Do fertilizers come under the Fertilizers Act, or would they come under CEPA? Is there any mechanism for federal leadership in encouraging farmers to develop plans for reducing fertilizers in the way municipalities have done with salt? That would essentially be my question.

Mr. John Carey: The responses with respect to salt happened during the risk management phase and after risk assessment. Risk assessment put it on the list; risk management asks what we can do to mitigate those risks while we capture the benefits. I would put phosphorus in the same boat.

It's essential for agriculture to use nutrients to achieve the yields that they require. What we're looking at is beneficial management practices as a risk management—

Mr. Francis Scarpaleggia: So there's a gap there that we could fill.

The Chair: I'm sorry, your time is up.

Mr. Francis Scarpaleggia: I have just one more point, Mr. Chair.

There's a gap we could fill. We should be doing this with fertilizers, as we've done with road salt.

Mr. John Carey: Yes.

The Chair: Mr. Bigras is next, please.

[*Translation*]

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): Thank you, Mr. Chairman, and thanks to the witnesses for their presentations and for being here.

What we should hope for today is that this issue is put down as soon as possible on the agenda of an upcoming meeting of the Canadian Council of Ministers of the Environment, where I believe it can be seriously examined. I understand that it involves all levels of government, federal, provincial and municipal.

Mr. Carignan, in your presentation, you mentioned seven causes that require a comprehensive action plan. Would ordering a ban on phosphorous in dishwashing products be an easy first step to take, a first step that is not conclusive, that would not enable us to solve all the problems, but a promising first step?

In addition, I would like you to tell us about the example of Switzerland, which has different ways of fighting phosphates.

● (1225)

Dr. Richard Carignan: I don't know about the Swiss example in detail, but I do know that phosphorous is banned in most domestic products, as it is as well in a number of American states.

We know—and I'm speaking as a scientist—that, in the lakes in the Laurentians, there is a direct link between the presence of phosphorous, eutrophication problems and the density of housing around the lakes. We must try to see what may be contributing to this situation. When you have a dwelling near a lake, what can contribute to the presence of phosphorous? It's obviously the septic facility and a host of other causes, but the phosphorous in detergents is a possible source that can easily be eliminated. Problems will take more time to solve, but it seems to me that prohibiting phosphorous, phosphates in all domestic products is a goal we could quite easily achieve and that certain American states have already achieved.

[*English*]

The Chair: Mr. Carey, I believe you have a response—very briefly, please.

Mr. John Carey: I want to clarify that we're talking about phosphates in automatic dishwasher products, not in the liquid products you use for hand washing. The liquid products used for hand washing do not contain phosphates.

The Chair: Thank you.

Mr. Cullen.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Let me preface this by saying it feels like we are unfortunately having to rush through a topic that might need a little more investigation by this committee.

I have a question for Mr. Carey about the statistics he presented to us for 1996. Is there anything more recent that the government is aware of on these loads?

Mr. John Carey: There's nothing that we've rolled up at a national level.

Mr. Nathan Cullen: Is there any interest by the government? Are there working plans to do such a thing?

Mr. John Carey: There are none that I'm aware of right now. We are focusing on the agricultural sector as our priority.

Mr. Nathan Cullen: I'm asking because it seems that in order to manage the thing we have to measure the thing, and these numbers are more than a decade old.

Mr. Friesen, you touched on almost the concept of ecological services, that a certain service is being done for the ecology, and farmers want to do their part. I think you hinted at compensation of some kind or another. Is that compensation to help mitigate the impacts of phosphorus that leaks into our water system? What specifically do you think your members are looking for?

Mr. Bob Friesen: That certainly could be part of it. In the ecological goods and services strategy we've developed, we talk about things like more buffer zones, management, and best management practices.

Mr. Nathan Cullen: To be specific, are farmers being paid to do these things?

Mr. Bob Friesen: Incentive-based programs help farmers do what they could otherwise not afford to do, and provide a service to the greater good.

Mr. Nathan Cullen: I have a last point, to pick up on Mr. Carey's comment on the road salt and fertilizer equation. Some gap has been identified—as Mr. Scarpaleggia was asking about—in the ability to do a proper investigation on the effects of phosphates in our ecosystem. What's the technical thing that the government is lacking at this point? What does it have to initiate to make this happen?

Mr. John Carey: I'm not sure.

Mr. Nathan Cullen: You very briefly answered Mr. Scarpaleggia's last question about road salts being presented as a concern.

Mr. John Carey: My answer was related to the fact that within the government's tool bag are a number of things that can be done, short of banning something outright, to manage risks. That's what was done with road salts. The government did not ban road salts; road salts save people's lives in winter.

The government developed management practices to reduce the risks, while still continuing to use them and save people's lives. That's the risk management aspect of it. That's what these beneficial management practices and their adoption are meant to do. They're encouraged to be adopted through farm stewardship programs and incentive programs. They're meant to manage the risks, not eliminate the use of the substance.

● (1230)

Mr. Nathan Cullen: I understand. Thank you.

The Chair: Thank you, Mr. Cullen.

Mr. Warawa.

Mr. Mark Warawa (Langley, CPC): Thank you, Mr. Chair.

I too appreciate the witnesses being here. It's a very interesting and important topic. I agree that more discussion is needed, and there's an unfortunate rush today.

Mr. Carey, in your comments you said that dishwasher detergent was approximately 1% of the source of the problem.

Mr. John Carey: Those were our 1996 numbers. Dr. Watson actually had some statistics with respect to dishwashers that indicate that it's probably gone up by 50% since then. So if nothing else has changed, it would now be 1.5% of the problem.

Mr. Mark Warawa: Thank you.

You mentioned the substitute, which is nitrilotriacetic acid..

Mr. John Carey: NTA, yes.

Mr. Mark Warawa: Could you elaborate on the effects of that acid on the environment? Is it as effective as phosphates? As you said, we need to reach a balance. What are the effects of that acid?

Mr. John Carey: As I understand it, NTA was screened in for further assessment during the recent exercise based on human health effects, not on environmental effects. The concern there was that it could degrade to carcinogenic compounds.

Mr. Mark Warawa: Is it as effective as a component in cleaning compounds?

Mr. John Carey: I think it was suggested in the seventies that it was not as effective, so the concentration of NTA in detergents initially—in the late seventies, if memory serves—was as much as 25% by weight. I don't know that it's still used now. I think there are a variety of other things—silicates and citric acid and things like that—that we used in its place because of the concerns that were raised at that time.

The point is that we need to know what the substitute would be before we know that we're moving in the right direction—whatever the substitute is in this case. I don't know what it is in this case.

Mr. Mark Warawa: So if dishwasher soap is a source of maybe 1% or 1.5% of the problem, where should the main focus be to solve the problem?

Mr. John Carey: Well, our focus has been on trying to work on reducing the non-point source contributions from agriculture, because those are the largest sources that we know of, by far.

Mr. Mark Warawa: Thank you, Chair.

The Chair: Thank you very much.

Thank you very much to our guests.

Again, I'm really sorry for how short it was. The committee may decide that they want to go further on this. So thank you very much.

We'll suspend for a moment here. I'd ask these witness to leave. We have one more witness.

Thank you.

● _____ (Pause) _____

●

● (1235)

The Chair: I would like to welcome our next witness, Ms. Melnick.

Certainly, welcome to our committee. Again, as with the others, I apologize for the rush, but I'm sure you understand the vote situation and how it goes.

Basically, I would ask you to keep your presentation as brief as you can, and with the time left, we will let members have an opportunity to question.

Ideally, it's going to look like roughly one major question per four of you, and then we have the motion by Mr. Bigras to deal with at the end.

If you'd like to begin, please go ahead.

Hon. Christine Melnick (Minister, Water Stewardship, Government of Manitoba): First, I'd like to thank the Standing Committee on Environment and Sustainable Development for allowing me to appear this morning. It's a very important issue, of course, that you are referring to today.

I have brought with me a copy of the final report of the Lake Winnipeg Stewardship Board. I'll leave it with the clerk. We are having it translated into French as well. And I have French and English copies of the press release we sent out when I released the report a few months ago.

I'm going to start very quickly, then I want to get into the questions.

Water, of course, is very important to all Manitobans, to all Canadians. Manitoba is home to three of Canada's largest lakes, including Lake Winnipeg, which is Canada's sixth Great Lake and the world's tenth largest freshwater lake.

Lake Winnipeg is situated wholly within the borders of Manitoba. It covers about 25,000 square kilometres. However, the drainage of the watershed is nearly one million square kilometres. There are parts of the drainage basin in Alberta, Saskatchewan, Ontario, and of course, Manitoba, as well as in the four states of Montana, North Dakota, South Dakota, and Minnesota.

Lake Winnipeg is unique among great lakes in the world because it has the largest ratio of surface area to drainage basin. For every one square kilometre of lake surface there are 40 kilometres of drainage basin, and this speaks to the prairies—the flat, wide expanses of land.

The three major watersheds that drain into Lake Winnipeg are the Winnipeg River, coming from Ontario; the Saskatchewan River, coming from the Rocky Mountains in Alberta through Saskatchewan; and the Red River, which comes from North Dakota and other states in the south.

We are experiencing cultural eutrophication, which means that through human activity we are getting regular algae blooms. Lake Winnipeg is home to over 30 communities situated around its nearly 2,000 kilometres of shoreline. We have a very large inland commercial fishery industry that has an annual catch of 55 million a year. There are also world-class beaches, which of course bring tourism.

Scientific studies in Manitoba indicate that the loading of nitrogen and phosphorus in Lake Winnipeg has increased by over 10% since the early 1970s, and unless we make changes throughout the entire watershed, we will see this escalate.

Since 1999, we as the Manitoba government have taken several actions that we feel are quite significant. However, there is more to do.

We launched the Lake Winnipeg action plan in February 2003. The focus of this action plan was to begin the process of reducing nutrient loads in Lake Winnipeg to pre-1970s levels. As part of this action plan, the Lake Winnipeg Stewardship Board was created.

We then passed the Water Protection Act, which gave us a strong new framework to guide the management of water quality and quantity. This act allowed the nutrient management regulation to come into law. Extensive consultations have been done on this regulation with all the stakeholders, and shortly we will be bringing it into force. It provides limitations on the amounts of nitrogen and phosphorus that can be applied to Manitoba's landscape, and for the first time in Canada, it will apply to nutrients from both animal manure and synthetic fertilizer. We've also established buffer zones and sensitive areas where nutrients cannot be applied.

With the assistance of the federal government, through the International Joint Commission's International Red River Board, we have reached an agreement with North Dakota and Minnesota that will see us reduce cross-border contributions of nutrients to Lake Winnipeg by 10% over five years. We have heavily invested in requiring nutrient reductions at waste water treatment facilities in our province's major cities.

The Lake Winnipeg Stewardship Board, which presented its final report recently, outlined 135 recommendations in 38 areas in which to take action. We have accepted them in principle, and in fact, we have already acted on 84% of the recommendations. The board has been given a new mandate. It is to ensure that cross-border linkages will restore the health of Lake Winnipeg. And we have established a federal-provincial Lake Winnipeg action plan implementation committee that will report to the Lake Winnipeg Stewardship Board.

● (1240)

I was very pleased that both the federal Minister of the Environment and the federal Minister of Fisheries and Oceans have agreed to participate in this committee through their staff.

To end the problem in Lake Winnipeg we need sound science. We established a science subcommittee that will serve to meet the needs of the Lake Winnipeg Stewardship Board and other committees as needed.

Again, we are pleased that there is support from the federal level as well as participation from Ontario and, through the Prairie Provinces Water Board, Saskatchewan and Alberta.

Since 1999 Manitoba has contributed and committed about $130 million to new water and waste water treatment infrastructure. On November 8, 2006, among other actions, Manitoba placed a pause on new and expanding hog barns and engaged our Clean Environment Commission in a review of this sector to ensure that it was environmentally sustainable.

While much has been accomplished, there is more to do, and we must collectively work to keep moving forward. Strong Canada-Manitoba linkages are needed. I'll go through some specific areas that I hope we will make real progress on.

One is implementing basin-wide watershed management. As I mentioned, the Lake Winnipeg watershed covers four provinces and four states. I am hoping that we will have the sort of support we need at the federal level as well as interprovincially to be able to cut down the loading of nutrients into our water.

We must continue to build on science. Science, of course, is an ever-changing and ever-developing area, and we must be open to what our new knowledge will teach us.

There is a need to develop and implement new Canada-wide policies and regulations to reduce the phosphorus content of cleaning products such as dishwasher detergents. While significant success was achieved by federal actions in the 1970s to reduce the phosphorus content of laundry detergents to help protect Lake Erie and the other Great Lakes, significant amounts of phosphorus are still contained in many other new household cleaning products such as dishwasher detergents.

It is now time to repeat the successes of the 1970s with laundry detergents by reducing phosphorus in other cleaning products. A strong federal approach in this area could possibly come under the Canadian Environmental Protection Act. This way, we would have Canada-wide regulations creating cost-effective solutions not only for Manitoba, but for all of Canada.

It's important to note when we look at the Lake Winnipeg watershed that what goes into detergent in a dishwasher in Edmonton finds its way into Lake Winnipeg. That gives you a sense of how vast and broad our catchment is and how important it is to work collectively.

There have been many successes through the agricultural policy framework. We have certainly seen a lot of benefit from the beneficial management practices, and we know local producers in Manitoba are very pleased and very happy to be working with this program.

Finally, there is a need to significantly increase federal-provincial investments in enhanced municipal waste water treatment. We hope that this will be done to provide consistent levels of tertiary treatment across the country to reduce contributions of nitrogen and phosphorus to our waterways.

I'd like to bring my opening remarks to a close by recognizing the children from grade 2 to grade 6 in Lakewood elementary school. Just last week I received a package of several hundred pieces of art and written letters asking me to take care of Lake Winnipeg. With this hope also came the concern that their collective pleas to governments would not be heard. I want to assure those children and all of our children in Manitoba that their pleas have been heard.

I think that when we look into the eyes of our children collectively, we know what our task is. By working together, we will achieve that for them and all future generations.

Thank you.

● (1245)

The Chair: Thank you very much.

I would ask members to ask their questions very briefly, please.

Mr. Regan.

Hon. Geoff Regan (Halifax West, Lib.): Thank you very much, Mr. Chairman.

I can recall visiting the Freshwater Institute in Winnipeg a few years ago and seeing a photograph of Lake Winnipeg taken in summer with a huge algae bloom, which of course was very disconcerting.

As the chairman has told me to move quickly, let me turn to the question of reducing versus eliminating phosphates, for example, in dishwasher detergent. You talked about reducing. First, why not eliminate, in your view; and secondly, reducing to what levels?

Hon. Christine Melnick: I think we have to work collectively on this. We have consumers. We have producers. What we don't want to do is throw an industry into shock. I think we can establish limitations, we can establish reductions, we can establish a clear path that will see real results.

I'm very encouraged by the fact that I've been lobbying my local Safeway for a number of years to carry these products, and lo and behold, one day I walked in and they were there. So I think consumer demand is a real driver, and I know that more and more people will become vocal.

We will have an education program going throughout Manitoba this summer about ways individuals can reduce and can be a part of the result.

So of course we'd like to get to a place where there is a reduction sufficient to not cause any more harm. To get there, I think we have to work collectively. The government in Manitoba works in consultation and tries to get agreement around the table. That's how I would hope we would work nationally as well.

Hon. Geoff Regan: Thank you.

The Chair: Thank you.

Mr. Lussier.

[*Translation*]

Mr. Marcel Lussier (Brossard—La Prairie, BQ): Thank you, Mr. Chairman.

Ms. Melnick, you mentioned that you hoped to see changes in federal regulations. Are phosphate emissions provincially regulated? Are there municipal regulations in Manitoba?

[*English*]

Hon. Christine Melnick: This summer we'll be having an education campaign on that reduction. We will begin consultations in the fall on cosmetic fertilizers as well as household products. To my knowledge, we don't have regulation in Manitoba, other than in Brandon.

I have had a very positive discussion with the federal minister, who I will be meeting later this afternoon as well, and I've said that Manitoba would be very happy to lead the way across Canada, working with our federal government. We're happy to work on a national level with the federal government, but we're also working within our provincial boundaries on this.

[*Translation*]

Mr. Marcel Lussier: Does Canada have good control over the quality of phosphorous coming from the American states on the Red River? I know there is an International Joint Commission agreement with Minnesota and North Dakota. Do we have good control at the border for determining the amount of phosphorous entering Canada?

● (1250)

[*English*]

Hon. Christine Melnick: The monitoring, yes. The control we'd like to have more of, but again in a cooperative way.

Contrary to a lot of the headlines you might read, there is a lot of cooperation between Manitoba and the states just south of us. So I think we need to continue to build on that.

The Chair: Thank you.

Mr. Cullen.

Mr. Nathan Cullen: Thank you, Minister, for being here. I'm sorry the time is so short.

These are basin transfers, so as you said, someone in Edmonton puts this in their dishwasher and it ends up in Lake Winnipeg. When dealing with the new threat of interbasin transfers, and specifically what has happened with Devils Lake.... This committee has dealt with it before. Just for the committee's reference, these are the photos of the new out-flow. Are there concerns? Are there no concerns? Is it part of the thinking in terms of the management of this issue for Lake Winnipeg now that Dakota is transferring water from one basin to an entirely new one?

Hon. Christine Melnick: The situation with the dishwasher is that Edmonton is part of the Lake Winnipeg basin, so there isn't an interbasin transfer. I think you're referring to the situation happening now with Devils Lake in North Dakota, where they began to pump water out of Devils Lake into the Sheyenne River, which will make its way into Lake Winnipeg. There's incredible concern around that, grave concern around that.

On August 5, 2005, the federal governments of Canada and the U. S. signed an agreement that there would be an advanced filter put in place so that water, if it *had* to be pumped—Manitoba's position is one drop is too much—then at least it would be going through a filter. No system is completely fail-safe, but we need to take whatever actions are possible.

We know that there are grave concerns. There's biota that is foreign to the Lake Winnipeg watershed that may be going in now. I'm here and I'll be meeting with the federal minister later. I'm going to ask him to step up the pace of working towards the placement of this advanced filter.

I'm also concerned that in the United States the federal government delegated, through the Environmental Protection Agency, the ability of North Dakota to establish their own environmental standards around the water. We have, through agreement with the International Joint Commission, a limit of 300 milligrams per litre of sulphates. Water could only be pumped if there were less than 300 milligrams per litre of sulphates from the Devils Lake area into the Sheyenne. Through the Department of Health in North Dakota, they have upped that amount to 450 milligrams with no visible science behind it. So we did challenge this. Unfortunately, we did lose the challenge in North Dakota, so we're looking at our next steps.

Again, I will be asking the federal minister today to talk to his counterpart in the States, for the federal government in the States to take back that power from North Dakota so that any change would be based on real science.

The Chair: Thank you, Mr. Cullen.

Mr. Vellacott.

Mr. Maurice Vellacott (Saskatoon—Wanuskewin, CPC): Thank you, Minister, for being here.

It was touched on already, but you talked in terms of reductions in the phosphates in the dishwashing detergents. You mentioned your own local store example there. Do you talk in terms of reductions because you have a concern they're still researching and tracking some of the implications of the substitutes, the alternatives? Do we know enough about some of these substitutes that they would be bringing on, or already are? Do we know long-term implications for that?

And then, I guess, I have a second follow-up question in this as well.

Hon. Christine Melnick: Okay. That's more of a technical question, and I'll ask Dwight Williamson, who is our executive director of water resources in the department of water stewardship, to respond to you.

Mr. Dwight Williamson (Director, Water Science and Management Branch, Water Stewardship Department, Government of Manitoba): We do think that where there are practical alternatives to phosphorus elimination should be the goal. But just as it was dealt with in laundry detergents, there was a reduction, not a complete elimination. So if the technology is there and if there are safe substitutes, then it makes abundant good sense to move to elimination. But if that's not the case, then clearly reductions are in order as a first starting point.

● (1255)

Mr. Maurice Vellacott: Thanks.

I notice you say "if", as a qualified science person and so on here, meaning that they're still looking at that issue, I assume, and maybe why we should have a bit of caution.

The other question I wanted to ask the minister in terms of the report is this—and it looks like some lengthy and extensive work was done here. You deal with all the issues, and some take less than others and you get a greater return, but what percentage of the efforts have been centred around the issue of the dishwasher detergent phosphates compared to the whole picture? There are other factors, such as agriculture and the other types of things. So 1.5% is what we're told here, at least, is one of the figures now that may be part of the problem. Would it be 1.5% in, or 5%, or a disproportionate amount into that, or what?

Hon. Christine Melnick: We have developed a multi-source way of dealing with this. When you're dealing with Lake Winnipeg it's quite different from dealing with, for example, Lake Erie in the seventies, where there were two points: largely, the two points were laundry detergent and waste water treatment. We have a lot of agricultural development. We have a lot of animal husbandry. We have cottagers. We have waste water treatment plants. We have interjurisdictional issues. So our numbers are about the same as yours as far as the issue of the detergents that we're talking about today goes, but we believe that each point counts and each point makes a difference.

It took us about 30 years to get to where we are in Lake Winnipeg. It's going to take a while to get back. But we believe, with everyone doing their part, slowly but surely we'll start to slow down the current progress, and eventually we'll get to a point where we can reverse it. But we all have to work together on that.

The Chair: Thank you, Mr. Vellacott.

Thank you very much appearing. Again, I'm sorry for the short time, but—

Hon. Christine Melnick: If I could let folks know, there is an English version of this report on the Government of Manitoba, Department of Water Stewardship site, and they're welcome to it.

The Chair: Great. Thank you very much. Thank you for appearing.

Members, perhaps we could now deal with Mr. Bigras' motion.

I would ask you to put the motion, Mr. Bigras, please.

[*Translation*]

Mr. Bernard Bigras: Thank you, Mr. Chairman.

It is a pleasure for me to introduce a motion that is not entirely the one that is presented here, since I have a few changes to propose in light of the presentations this morning. I'm going to read the new motion that I am introducing:

> That, pursuant to Standing Order 108(2), the Standing Committee on the Environment and Sustainable Development recommend that the government amend the Phosphorous Concentration Regulations in order to prohibit the concentration of phosphorous in laundry detergents and dishwasher detergents and that the adoption of this motion be reported to the House at the earliest opportunity.

[*English*]

The Chair: Mr. Warawa.

Mr. Mark Warawa: Thank you, Chair.

The Chair: We will get a copy of that exchange so everybody has that.

Mr. Warawa, and then Mr. Cullen.

Mr. Mark Warawa: Thank you, Chair.

I'm going to be moving an amendment. I appreciate the efforts of Mr. Bigras. In fact, the Bloc tabled the motion without even hearing any of the witnesses. It's important that we don't have our minds made up before we hear from the witnesses. It's putting the cart before the horse. We have to be careful that we base our decisions on testimony we've heard. Some accuse politicians of the expression, "Don't confuse me with the facts." Well, I think we need the facts.

We've heard conflicting testimony here today, and it was so rushed. I think we need to hear more. I'm hoping Mr. Bigras would accept as a friendly amendment that we first hear from some more witnesses. So I would make the amendment that, after "Sustainable Development", it would read as follows: "hold further hearings on the issue of phosphorus to study the possible impacts on the environment".

I agree that we need to look carefully at the impacts of phosphorus, but we want to be careful that our decisions are heading in the right direction. We want to focus on solutions.

So that's my amendment.

The Chair: Mr. Bigras, do you accept that as a friendly amendment, or shall we discuss the amendment to your motion?

[*Translation*]

Mr. Bernard Bigras: Mr. Chairman, I can indeed accept my colleague's amendment on a friendly basis, but he must understand that it in no way changes the fact that we will be proposing a ban on phosphorous in laundry detergents and dishwashing detergents.

So our colleague proposes to continue studying the question, on which point I agree since we have not gotten to the bottom of things with regard to a certain number of factors, including the solution with regard to sustainable agriculture. All of us, including Manitoba's Minister of the Environment and Mr. Carignan have said this morning that, if we want, we can act quickly, particularly since substitutions are available. I don't want to cite the Minister of the Environment, but she has said that, when substitutions were available, a ban was possible.

So to the extent that the friendly amendment moved does not change the spirt of this motion, the aim of which is to ban phosphorous in laundry and dishwashing detergents, I will entirely agree.

● (1300)

[*English*]

The Chair: Mr. Warawa, very briefly, please.

Mr. Mark Warawa: Yes. The intent is to get more information, and I would accept that it would be as soon as possible. We could meet this week if necessary, if the witnesses are still here on the Hill, or we could meet next week, but the intent is to get more information, not to stop your intent.

[*Translation*]

Mr. Bernard Bigras: Could the clerk reread the proposed friendly amendment to us so that we know how it fits into the motion that will be adopted in a few minutes?

[*English*]

The Clerk of the Committee (Mr. Justin Vaive): The amendment put by Mr. Warawa would alter Mr. Bigras' motion in the following way: "That, pursuant to Standing Order 108(2), the Standing Committee on the Environment and Sustainable Development hold further hearings on the issue of phosphorus to study possible impacts on the environment."

The Chair: Okay.

Mr. Cullen, we're discussing the amendment now.

Mr. Nathan Cullen: I don't think it has been accepted.

The Chair: It hasn't been accepted, so it's on the floor. We haven't voted on it yet.

Mr. Nathan Cullen: My comments are to the main one. I think what's been suggested is another thing entirely.

[*Translation*]

Mr. Bernard Bigras: Before giving my consent, I wanted to see the meaning of the motion. So that's why I wanted to ensure I had clearly understood.

To the extent that the friendly amendment changed the spirit of the motion, I could not be in favour of adopting it. What I understand is that we're going to vote on this motion and that there will be meetings so that we can discuss the matter in the context of future business. Mr. Warawa is instead proposing future business to determine what we're going to do in the coming meetings, if the House continues to sit, or even in the fall.

I do not accept his friendly amendment as moved, since it changes the spirit of the motion before us.

[*English*]

Mr. Mark Warawa: Chair, it doesn't change the spirit of the motion. But if he doesn't accept it as a friendly amendment, I move it as an amendment. It's an important topic and I think we need to hear from further witnesses on this.

After hearing from the witnesses, we may very well support the motion that's being proposed by Mr. Bigras, but at this point it's a motion that was put before we even heard from one witness. It is definitely putting the cart before the horse. We need to first hear from witnesses before we propose motions.

The Chair: We have Mr. Bigras' motion. Everyone understands what that is. We now have a new amendment to that, which changes the wording. We need to vote on that and get rid of that, then come back to Mr. Bigras' motion.

Mr. Scarpaleggia, did you want—

Mr. Mark Warawa: On a point of order, Chair, we don't want to get rid of an amendment; we want to vote on it.

The Chair: You want to vote, yes.

Mr. Mark Warawa: I think it's a reasonable amendment, Chair, so I'm hoping you're not recommending that we vote against that.

The Chair: I would not recommend anything to the committee.

Mr. Scarpaleggia, are you speaking to the amendment to the motion?

Mr. Francis Scarpaleggia: Well, I will be voting against the amendment because I think there's a way that we can do both. There's a future business issue, and I'm in total agreement with bringing some new witnesses in, but I think there's a way we could move this motion forward in order to bring it to the House for a broader debate, while respecting Mr. Bigras' intent by also being cautious and reasonable enough to admit to the possibility that there are some substitutes to phosphates that could be more dangerous than the phosphates.

I don't know where we are procedurally, but I have an amendment that I could submit.

● (1305)

The Chair: If you have another amendment—

Mr. Francis Scarpaleggia: There you go.

The Chair: —I think we should deal with the first amendment first.

Mr. Bernard Bigras: Step by step.

The Chair: Are there any other comments on Mr. Warawa's amendment?

Mr. Harvey.

[*Translation*]

Mr. Luc Harvey (Louis-Hébert, CPC): It's quite simple. We're moving a motion that precedes the hearing of witnesses. I don't think that anyone here can say he is satisfied, not with the questions or answers, but with the time that we have had to speak with witnesses. I don't believe it would be appropriate to vote immediately on this motion.

[*English*]

The Chair: Mr. Harvey, I think everybody gets that, so if we could get to the amendment that we have from Mr. Warawa, which is basically to eliminate after "Sustainable Development", and replace it with "hold further hearings on the issue of phosphorus to study possible impacts on the environment". That's the amendment we're now voting on.

(Amendment negatived)

The Chair: Now we'll come back to Mr. Scarpaleggia. Do you wish to make an additional amendment?

Mr. Francis Scarpaleggia: Yes, I do.

I suggest that we be consistent with the way we've acted before, where we've employed the term "phase-out". This is more open-ended; it could mean total elimination, depending on what the substitutes are. So I would suggest that we say after "regulations"`: "in order to phase out the concentration of phosphorus in dishwasher and laundry detergents". It would make it stronger, I think, but also leave it open to some—

The Chair: I think the laundry detergents are already under legislation, so—

Mr. Francis Scarpaleggia: But there are concentrations of phosphates in the laundry detergents. They're very low, and some don't have any, some do. That's why I threw it in there.

The Chair: Okay, we'll make sure the clerk has it right. Perhaps he could read the amendment.

The Clerk:

> That, pursuant to Standing Order 108(2), the Standing Committee on the Environment and Sustainable Development recommend that the government amend the Phosphorus Concentration Regulations in order to phase out concentration of phosphorus in dishwasher detergents and laundry detergents and that the adoption of this motion be reported to the House at the earliest opportunity.

Is that correct?

The Chair: Okay, are there any comments on that amendment?

Mr. Warawa.

Mr. Mark Warawa: Chair, again we've heard numerous comments by members of the committee that the testimony was very brief. The typical opportunity to question the witnesses is a 10-minute first round and a second round of 5 minutes. What did we have today? Two minutes. We heard four opportunities, two minutes each. That's eight minutes of questioning. So the comment that we did not have an adequate amount of time spent on this today is true. For us now to forge ahead without the facts is beyond belief.

Chair, I'd like to read a comment that was the government's response from the CEPA review in 1995, noting that they didn't want to single out cleaning products. They said it was inappropriate. This is what they said, and I quote:

> We cannot commit to further regulation of phosphates in cleaning products such as automatic dishwasher detergents, or to regulation of other nutrients in other products such as water softeners and fertilizers, until we have studied to what extent nutrients from sources other than laundry detergents are causing damage to the environment.

Chair, that is a reasonable approach where you do not try to kill a fly with a hammer; you look at science, you listen to witnesses, and then you provide a motion. If the committee wants to move forward before we hear from the witnesses, it's politically motivated. It's not based on science and it's not based on fact. It's the wrong direction. We need to hear from the witnesses.

● (1310)

The Chair: Mr. Cullen.

Mr. Nathan Cullen: I understand the parliamentary secretary's concerns with the speed with which this is happening, and I share some of those concerns. I'm recalling the process we went through with something like phthalates, which were rather limited in terms of their scope, as compared to something that's far-reaching.

I like the amendment that Mr. Scarpaleggia has raised in terms of seeking to phase out, because this is an identified problem with an identified source.

The question I have perhaps, through you, Chair, to Mr. Bigras, is around the question of substitution. There was only anecdotal reference to what this.... This is always the question when you seek to ban or phase out something: what are you seeking to replace it with? I can't recall in the testimony it clearly being demonstrated that there were viable economic substitutes available that were less. If I'm wrong and there was testimony given, then that gives me greater assurance to vote for it. I understand the pressure of the Parliament potentially ending and Mr. Bigras wanting to get this through...but I would hate to have egg on our faces later on if there's something we're glaringly missing here that is pointed out through further evidence.

The Chair: What I understood from Mr. Carey was that the substitute is now undergoing a health review, but not an environmental review. Obviously it would seem to me we would want to have both, particularly from the environment committee, to be asking for that environmental review of a replacement. So that is the question I believe he raised, and he didn't answer—

Mr. Nathan Cullen: So this is my question, through you. And I'm not ready with language for an amendment, but something to incorporate something about pending viable substitutes. If the health review or the environment review comes back and says this is more damaging in this particular product....

The Chair: It seems to me that we could come up with a compromise, where we did more hearings and then we accomplished what Mr. Bigras did. To me, that would work.

I'm not sure you go that far, Mr. Scarpaleggia, in your amendment.

Mr. Vellacott, then Mr. Bigras, and then Mr. McGuinty, I think it was.

Mr. Maurice Vellacott: Could we have the clerk read it one more time?

The Chair: I think the key thing is "in order to phase out", instead of the word "limit".

Mr. Maurice Vellacott: Perhaps you could read it again, entirely, if you don't mind.

The Clerk: It reads:

> That, pursuant to Standing Order 108(2), the Standing Committee on the Environment and Sustainable Development recommend that the government amend the Phosphorus Concentration Regulations in order to phase out concentration of phosphorus in dishwasher detergents and laundry detergents and that the adoption of this motion be reported to the House at the earliest opportunity.

Mr. Maurice Vellacott: I guess mine is fairly to the point. Can we have a subamendment at this point? I was just going to say, after "further witnesses", "possibly recommend".

I think a lot of us are with you, Bernard, in respect to looking at this seriously. It's not an issue of a stand-off and trying to stall you on this, but it's an issue of actually wanting to get a bit more testimony and, as Nathan had pointed out, in terms of the alternatives and so on. So sooner than later.... But my commitment as a committee member as long as I'm on this committee is to bring the witnesses forward, and if that's where the evidence leads and there are decent alternatives, let's do it. This is above party interests.

So that's what I'm proposing as an amendment.

The Chair: I would suggest that what we do is deal with our amendment and then come back to this as an additional amendment.

Mr. Maurice Vellacott: Okay. Well, maybe note it down, then. I'm just saying that after further witnesses, we "possibly recommend".

The Chair: You know, then, what Mr. Vellacott's going to further amend, but I think we should deal with this amendment first.

Mr. Bigras, I believe, had a comment.

[*Translation*]

Mr. Bernard Bigras: Mr. Chairman, I've already put water in my wine, not phosphorous in my water. I think that the proposal that Francis made is headed in the right direction, that is gradual elimination. We currently have substitutions. I have at least eight to suggest to my colleagues, if they want to buy them. I support the principle of my colleague's amendment. I think we can proceed—

[*English*]

The Chair: If Mr. Bigras, the mover of the motion, agrees to that, then we can go on to Mr. Vellacott's addition and deal with it as the next item.

Yes?

● (1315)

Mr. Nathan Cullen: Just to be clear, Chair, about the last thing Mr. Bigras said, if he has a substitution list, there's some language included here about substitution or pending viable substitutions. That's what I was seeking to include.

The Chair: I believe what he was accepting was simply the wording of Mr. Scarpaleggia, that we phase out and that we include —

[*Translation*]

Mr. Nathan Cullen: You said at the end that you were including —

Mr. Bernard Bigras: I in fact accepted my colleague's amendment.

[*English*]

The Chair: I think Mr. McGuinty is next on our list. Are you speaking to this, now that it's been accepted? Or should we—

Mr. David McGuinty (Ottawa South, Lib.): No, I'm speaking to.... We're off that amendment; it's been defeated. I'm speaking to this amendment.

The Chair: No, it has not. We have not dealt with Mr. Vellacott's; he hasn't moved it yet.

Mr. David McGuinty: I'm not speaking to that, no. Well, actually, I'm speaking to both.

The Chair: It has now been accepted by Mr. Bigras, so now we have the new wording.

Mr. David McGuinty: So I can only speak to Mr. Vellacott's, then?

The Chair: Well, he hasn't made a motion yet.

Mr. David McGuinty: I see. I'm speaking to Francis's.

The Chair: Okay.

Mr. David McGuinty: Great.

I support what Monsieur Bigras said. He has watered his wine. We're not calling for an outright ban; he's calling for a phase-out.

I think phase-out implies the conditionality of substitution. I don't think we need to make specific references to substitution or substitutable products. If there are already products in the marketplace, consumers will find them. I would be anxious to see this come to a vote as soon as possible.

Thank you.

The Chair: We can vote on what has been accepted here and then move on to Mr. Vellacott, and he can then amend further, just so we're clear on where we are. I think everybody understands exactly what's happened here.

Mr. Warawa.

Mr. Mark Warawa: What is on the table right now is the original motion, which has a friendly amendment that has been accepted. Is that what we're discussing right now?

The Chair: Yes, that's correct. Now Mr. Vellacott, I believe, has another motion.

Mr. Mark Warawa: Yes, that may or may not be, but I would like to speak to the motion that's on the floor.

What it's calling for is a phase-out, recommending that the government amend the phosphorus concentration regulations in order to phase out concentration of phosphorus in dishwasher detergents and laundry detergents—that was accepted—and that the adoption of this motion be reported to the House at the earliest opportunity.

The first point is that we've heard that the phosphorus is in dishwasher detergents, not in laundry detergents; that's already been removed. The only thing it's in is dishwasher detergents. That's the testimony I've seen in written form; therefore the motion may not be correct in that.

The other thing, Chair, is that this motion was formed, and is very similar to—basically the same motion as—what was first introduced before we heard from the witnesses. The question is, then, what was the purpose of the witnesses? Is this committee now going to be in the habit of drafting motions before we even hear from witnesses? It very quickly loses credibility, Chair, if a motion is formed and decided on—instead of "limit" the concentration, it's "phase out" the concentration, but it's still the same goal of removing a substance—before we've even heard from the witnesses, before we've heard what the alternatives are, if it's possible to have alternatives.

I support hearing from more witnesses. This motion that's before us does not permit hearing from more witnesses, and therefore I can't support it, because it's not based on logic; it's based on politics.

The Chair: Mr. Scarpaleggia.

Mr. Francis Scarpaleggia: There is phosphorus in laundry detergents. In fact, the regulation regarding phosphorus in detergents allows there to be small concentrations of phosphorus. In fact, the Canadian Consumer Specialty Products Association says that in laundry detergents phosphorus is used to condition the water, to remove hard water ions such as calcium, etc. It is an issue.

I think the issue of having another hearing is somewhat separate from this motion. We could have a hearing to find out about substitutes. We could have a hearing to find out about how we could create a framework, what the steps would be to create a framework for managing fertilizers better. I think there are two separate issues.

As I say, I have no problem getting this motion as amended to the House for a broader debate. I think it would be good for the government to take notice that we are interested in this issue as a committee.

● (1320)

The Chair: Mr. Vellacott, back to you now in terms of your motion.

Mr. Maurice Vellacott: That was my suggestion. I don't think the spirit of this place and the spirit of this committee is actually to back away from doing anything on this. I think it's a matter of listening to the witnesses.

I hear Mr. Scarpaleggia say that he wants us to proceed with this motion in this form and then after the fact we'll look at witnesses. But what if your witnesses have some fairly serious stuff in a more extensive process here and they're giving testimony to the effect that there are big concerns? We'll need to put the thing on hold, because these other things or alternatives are worse than the phosphorus or phosphate. This could be a possibility.

The Chair: Mr. McGuinty.

Mr. David McGuinty: Through you, Mr. Chair, I want to ask Mr. Vellacott if he actually read the Canadian Consumer Specialty Products Association's brief?

Mr. Maurice Vellacott: The one from Shannon Coombs?

The Chair: Yes, I believe that's the source of it.

Mr. David McGuinty: Did committee members read the three-page brief?

The Chair: Again, I trust that all members have prepared for this meeting.

Mr. David McGuinty: I only raise that because, if he had, then he would know that the preponderance of opinions and views that would oppose a ban on these products from laundry and dishwasher detergents has been very comprehensively addressed. It is a very rebuttal-type brief. It speaks directly to the testimony received here today and it actually rebuts some of the written testimony received from other witnesses. It's all there in black and white.

I've considered these views. I've read this brief twice now. Mr. Warawa just read from this brief. He read an operative paragraph from this brief citing a report from our government in 1995. It's there in black and white.

I think many of the views we would hear from the CCSPA are right here in a wonderfully written, condensed brief. I think that's very helpful for us as we consider this vote.

The Chair: Are there any other comments about the motion as amended? Mr. Scarpaleggia.

We'll reread it so everybody knows exactly what they're voting on.

The Clerk:

> That, pursuant to Standing Order 108(2), the Standing Committee on the Environment and Sustainable Development recommend that the government amend the Phosphorus Concentration Regulations in order to phase out concentration of phosphorus in dishwasher detergents and laundry detergents and that the adoption of this motion be reported to the House at the earliest opportunity..

The Chair: That sounds okay, Mr. Bigras?

(Motion agreed to)

Thank you. This meeting is adjourned.

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