



**FIRST REPORT
OF THE
STANDING COMMITTEE
ON CLIMATE CHANGE
AND ENVIRONMENTAL STEWARDSHIP**

First Session
Sixty-first Legislative Assembly
of the
Province of New Brunswick

March 18, 2026

MEMBERS OF THE COMMITTEE

Mr. J. LeBlanc, Chair
Ms. Sodhi, Vice-Chair
Mr. M. LeBlanc
Ms. Vautour
Ms. Wilcott
Hon. Mr. Herron

Hon. Mr. LePage
Mr. Cullins
Ms. Conroy
Mr. Russell
Ms. Mitton

March 18, 2026

To The Honourable
The Legislative Assembly of
The Province of New Brunswick

Madam Speaker,

I have the pleasure to present herewith the First Report of the Standing Committee on Climate Change and Environmental Stewardship.

The report is the result of your Committee's deliberations on a review of the content and operation of the *Clean Air Act*.

On behalf of the Committee, I wish to thank those individuals and organizations who appeared before the Committee and provided written submissions. In addition, I would like to express my appreciation to the members of the Committee for their contribution in carrying out our mandate.

Your Committee begs leave to make a further report.

Respectfully submitted,

Mr. J. LeBlanc, MLA
Chair

March 18, 2026

To The Honourable
The Legislative Assembly of
The Province of New Brunswick

Madam Speaker,

Your Standing Committee on Climate Change and Environmental Stewardship begs leave to submit this, their First Report of the session.

On June 11, 2025, the Committee met and agreed to invite stakeholders to either present or submit written briefs to the Committee as part of its review of the *Clean Air Act*. The Committee agreed that, after the completion of this process, it would report to the House with a summary of the issues and recommendations raised by participants, along with its own recommendations.

The purpose of the *Clean Air Act*, enacted in 1997, is to protect and improve the province's outdoor air quality by regulating the release of contaminants and promoting environmental stewardship. It outlines accountability measures through monitoring and reporting systems; parameters for public access to participate in environmental decisions; and establishes a regulatory framework for regulations, permits, and enforcement actions of industrial activities.

The Committee received five written submissions and heard from six stakeholder groups in person on September 9 and 10, 2025, on ways the Act should be modernized.

Coinciding with the Committee's work, the Government of New Brunswick announced its review of the same Act on September 4, 2025. The Department of Environment and Local Government (the Department) held public engagement sessions in September and October 2025, an exercise that was conducted independently of the Committee's review of the *Clean Air Act*.

The Committee met again on December 2, 2025, and February 18, 2026, to consider the input received during the consultation process and to formulate a report with recommendations to the House.

Anticipating that the government will take this report into account when drafting amendments to the Act for presentation to the House, the stakeholders' recommendations are organized by theme according to the Department's review model. Recommendations that fell outside these themes are integrated into the stakeholders' summaries or listed under "Other Recommendations."

The Committee wishes to express its appreciation to the presenters who appeared at the public hearings and to the organizations who provided written submissions.

PUBLIC HEARINGS

New Brunswick Lung Association

Melanie Langille, President and Chief Executive Officer of the New Brunswick Lung Association, provided recommendations to strengthen the *Clean Air Act*, emphasizing air quality as a key determinant of public health. Ms. Langille cited a 2025 public opinion poll by Narrative Research indicating that 71% of New Brunswickers believe current pollution laws are too weak. She noted that 1 in 5 residents live with lung disease and referenced Health Canada data identifying air pollution as a major contributor to premature death and chronic illness.

Ms. Langille said that a key concern was that current air quality regulations assess pollutants individually, failing to reflect the cumulative effects of breathing in mixtures of harmful substances. These exposures can impact multiple body systems, especially among vulnerable populations, such as seniors, children, and those with pre-existing medical conditions.

The New Brunswick Lung Association called for the inclusion of certain pollutants and chemicals in the list of regulated substances, with priority pollutants identified as: sulfur dioxide (SO₂), which is high in industry-heavy areas like Saint John and causes respiratory irritation among other health concerns; odours, which can trigger asthma, migraines, and disrupt daily activities; volatile organic compounds (VOCs), which contribute to or exacerbate respiratory conditions; and fine particulate matter (PM_{2.5}), which is linked to lung cancer, heart disease, and neurological disorders.

Wolastoq Grand Council

Traditional Grand Chief Ron Tremblay of the Wolastoq Grand Council appeared before the Committee to share an Indigenous perspective on the revision of New Brunswick's *Clean Air Act*. He encouraged the Committee to consider Indigenous knowledge systems, in which air is understood not merely as a physical substance but as part of a sacred living, interconnected network that is inseparable from human responsibility.

He shared his personal experiences in nature and ceremony, including time spent in solitude and in a sweat lodge, which reaffirmed the fundamental role of air in sustaining all life. In his culture, living beings are often described with verbs, not nouns—reflecting the understanding that life is active, purposeful, and relational. For this reason, he said that all humans have a duty to live in balance and peace with all creation and to protect the natural world.

Traditional Grand Chief Tremblay emphasized that Indigenous Peoples must be involved from the earliest stages of consultation on the *Clean Air Act*, so that knowledge can be shared within communities, particularly with Elders and grandmothers who hold traditional wisdom. He also expressed disappointment that consultation with Indigenous participants did not occur in a traditional setting that allows time, ceremony, and equal voice for all. He said that if culturally relevant consultations on the management of such a significant resource had occurred throughout the Province's history, many Indigenous medicines might have been saved from harm, such as sweet grass, cedar, muskrat root, and the ash tree.

He strongly urged the government to change laws and regulations to protect the air, water and earth, and to do so in a way that implements, without qualification, Article 19 the United Nations Declaration on the Rights of Indigenous Peoples, which outlines consultation obligations for legislative exercises such as this.

Dr. Colleen O’Connell and Dr. Daniel Saucier

On behalf of Dr. Colleen Connell, M. D., and himself, Dr. Daniel Saucier, a Postdoctoral Fellow and Adjunct Clinical Professor at the *Centre de formation médicale du Nouveau-Brunswick*, presented an academic perspective based on his doctoral research on air pollution in New Brunswick. He emphasized that particulate matter remains a leading global health risk, linked to heart disease, stroke, lung cancer, and respiratory illnesses, among others. He highlighted the rigour of standards like the World Health Organization’s Global Air Quality Guidelines and the Canadian Ambient Air Quality Standards (CAAQS), which reflect emerging evidence that even low-level air pollution poses health risks.

While air quality in New Brunswick has improved since 1990, Dr. Saucier emphasized there is no truly “safe” level of air pollution. He argued that policy should aim for continuous pollution reduction rather than merely meeting existing thresholds.

His research also explored a possible link between air pollution and amyotrophic lateral sclerosis (ALS) in the province. Between 2003 and 2013, 187 ALS cases were identified, clustered in the Bathurst, Edmundston, Saint-Paul, and Wilmot regions. Notably, the study found that for every 0.14 parts per billion increase in annual SO₂ exposure, the odds of ALS increased by 1.23 times, even though these exposure levels were below current CAAQS “clean” air standards. This suggests environmental factors, including SO₂ from power generation and industry, may play a role in ALS development.

J.D. Irving, Limited

J.D. Irving (JDI) representatives emphasized the importance of including industry stakeholders in the revision of the *Clean Air Act*. Presenters on behalf of JDI were Andy Carson, Vice President of Government Relations; Mark Mosher, Vice President of the Pulp and Paper Division; and Renée Morais, Director of Environment. The presenters acknowledged the Act’s effectiveness in driving the reduction of emissions across JDI operations and affirmed the company’s support for its modernization, provided that any amendments would consider today’s broader economic, health, and environmental contexts.

The presenters highlighted the forestry sector as New Brunswick’s largest economic industry and stressed the importance of balancing environmental goals with economic realities. They cautioned that, despite the industry’s success in the province, it still faces serious challenges, such as declining economic output, trade uncertainty, climate risks (wildfires, pests), and global competitiveness.

They noted that JDI is now net carbon negative and has made major environmental strides—including a 90% reduction in SO₂ emissions, as well as significantly decreased greenhouse gas

(GHG) emissions and particulate emissions. A focal point of the presentation was JDI's NextGen Project at the Saint John Irving Pulp and Paper mill. This initiative will expand green energy capacity, reduce fossil fuel reliance, lower carbon dioxide emissions, and reduce water use. They stated that these changes will improve both environmental performance and long-term economic competitiveness, which will extend the Provincial power grid and advance the climate goals of the Province.

The representatives advised that when considering the revision of the *Clean Air Act*, the government should prioritize economic competitiveness alongside environmental objectives, maintain the current collaborative and flexible regulatory approach, implement phased timelines for stricter limits to allow for necessary capital investments, and continue technical consultation between industry and the Department. They concluded by advocating for a regulatory approach that fosters innovation, efficiency, and shared progress.

East Coast Environmental Law

Richelle Martin, staff lawyer with East Coast Environmental Law, presented a public interest legal perspective focused on the need to enshrine a legal right to clean air in New Brunswick's revised *Clean Air Act*.

Representing a non-profit organization dedicated to environmental law reform and public education, Ms. Martin emphasized that a healthy environment is foundational to public health, noting that air pollution contributes to approximately 1,400 premature deaths annually in the province. She noted that New Brunswick currently lacks a legal right to clean air, unlike other Canadian jurisdictions and over 150 countries globally. She recommended explicitly recognizing this right in the revised Act, affirming the government's duty to protect it and ensuring that all regulatory decisions account for human health impacts.

Ms. Martin also called for stronger procedural rights to allow public involvement and enforcement. This includes enhanced access to information, expanded public participation, citizen enforcement mechanisms, and clearer criteria for investigation closures. These tools would empower communities to act when government oversight is lacking and serve as a deterrent to non-compliance.

She emphasized major enforcement gaps under the current Act, noting issues such as outdated data, limited penalties, and a lack of legal and administrative penalties. Ms. Martin also underscored the need for stronger oversight and greater transparency to enhance accountability. She further advocated for aligning the *Clean Air Act* with the *Clean Water Act* and the *Clean Environment Act* to ensure consistency and reflect the interconnected nature of ecosystems. Overall, she concluded that the Act's revision represents a critical opportunity to embed the right to clean air, rebuild public trust, and strengthen protections for human health and the environment.

Saint John Citizens Coalition for Clean Air

Gordon Dalzell presented on behalf of the Saint John Citizens Coalition for Clean Air as a founding member and current Chair. The Coalition is a network of concerned citizens and environmental non-governmental organizations who support a grassroots effort to strengthen the Act's health-protective and public participation clauses.

Mr. Dalzell suggested that the Province require an assessment from the Minister of Health in the review of Air Quality Approvals, alongside the Minister of Environment and Climate Change, to ensure that public health considerations are carefully incorporated when establishing or amending air quality objectives. In the same vein, he called for the development of an emergency alert system to allow for expeditious air quality monitoring updates during disaster events to protect the public, especially vulnerable populations.

Mr. Dalzell outlined how transparency and accountability within the Act can be strengthened through the public's participation. He urged that public notices for the issuance of approvals be mandatory for smaller industrial facilities (Classes 2, 3, and 4), as some of these smaller pollution sources have become problematic in the past. He argued that the approval process for these smaller facilities should be subject to the same public scrutiny approvals as Class 1A and 1B facilities.

Mr. Dalzell also suggested that the role of advisory committees, such as Air Resource Management Committees, could be strengthened. Expanding their involvement may help address areas where the Act allows discretion in the issuance, amendment, transfer, suspension, cancellation, renewal, and reinstatement of registrations, permits, and approvals. Encouraging greater public participation through these committees can support transparency and help ensure government decisions are well-informed and accountable.

WRITTEN SUBMISSIONS

The Committee received five written submissions, all emphasizing that New Brunswick's *Clean Air Act* is an important but outdated law in need of modernization to address current environmental, social, and health realities. Contributors consistently highlighted the need to strengthen public participation and access to justice, transparency, and accountability in air-quality governance, recognizing clean air as a fundamental right.

A few submissions recommended consolidating the Province's separate environmental statutes into a single integrated framework to reduce duplication of permits and approvals and to improve efficiency. They also recommended stronger enforcement measures that focus on regulatory compliance, reporting, and administrative penalties; clearer public access to information; explicit inclusion of environmental justice; and ongoing meaningful consultation and recognition of Indigenous rights to guide all revisions to the Act. Contributors also emphasized the need to protect agricultural and ecologically sensitive lands from industrial, urban, and mining development, recognizing the environmental impacts on air quality, biodiversity, and GHG emissions.

Health protection and climate change emerged as key priorities. Submissions called for linking air-quality management with GHG reduction targets and climate policy frameworks, expanding province-wide air monitoring with real-time public reporting, and updating standards to reflect current science on pollutants such as fine particulate matter, methane, black carbon, and hydrogen fluoride. Contributors stressed the importance of considering the cumulative effects of pollutants, especially when paired with natural disasters, such as wildfires. The protection of vulnerable and marginalized communities disproportionately affected by pollution was a key priority, as the Act currently only prohibits harm to property and business.

Contributors widely emphasized the need for an environmental stewardship perspective to lead revisions to the Act, noting that the Province's economic generators have a central role to play. A key priority was to phase out harmful chemicals while investing in alternative methods due to the risks posed by synthetic chemicals, particularly pesticides, herbicides, and neonicotinoids. They also underscored the connections between climate change and chemical toxicity, calling for the Province to create conservation incentives and support for New Brunswick's energy, agricultural, fishing, tourism, and forestry industries to invest in ecologically sound alternatives.

Collectively, the submissions call for a modern, unified, and rights-based *Clean Air Act* that protects people, ecosystems, and future generations, embeds principles of equity and justice, reduces harmful emissions, and promotes sustainable industrial practices.

KEY CONSIDERATIONS

The Committee understands that the intent of amending the *Clean Air Act* is to modernize clean air standards based on current science and technology and to strengthen the rules that protect outdoor air quality for communities across New Brunswick.

What follows are the key findings and suggested measures proposed by stakeholders for the Committee's consideration in its discussion of the *Clean Air Act*.

1. Public Participation

- a. THAT the *Clean Air Act* be amended to enable environmental protection actions (citizen suits).
- b. THAT the *Clean Air Act* be amended so that the Minister of Environment and Climate Change is obligated to consult the public before establishing air quality objectives.
- c. THAT the *Clean Air Act* be amended to provide that any two residents who believe that a policy or regulation under the Act should be made, amended, or repealed to protect air quality, may apply to the Minister for a review.

- d. THAT the *Clean Air Act* be amended to include the Department's duty to provide an educational component on environmental stewardship.
- e. THAT the Department streamline access to historical air quality data for the public by improving methods to request information not found on the New Brunswick Air Quality Data Portal.

2. Approvals to Operate (Permits)

- a. THAT the *Clean Air Act* be amended to require permit conditions that mandate progressive emission reductions over time.
- b. THAT the *Clean Air Act* be amended to expand the Class 1 public notice requirements to include Classes 2, 3 and 4.
- c. THAT the *Clean Air Act* be amended to include the ministerial power to order specific air pollution control technology to ensure the elimination or reduction of problematic contaminants.
- d. THAT the Department review and update permitting standards regularly to reflect the best available technologies.
- e. THAT the Department establish clear mechanisms for community and Indigenous consultation in permitting processes.
- f. THAT the Department develop mechanisms to track permit holders who consistently emit below permitted levels but above CAAQS, with the objective of encouraging the adoption of clean energy technologies.

3. Monitoring, Modelling, and Reporting

- a. THAT the *Clean Air Act* be amended to require comprehensive monitoring coverage of air quality across the province and to require reporting of unauthorized releases of contaminants.
- b. THAT the Department adopt CAAQS where applicable.
- c. THAT the Department conduct a retrospective State of the Air Assessment using robust statistical methods, which could be used to determine where emission source reductions are needed to meet air quality objectives.
- d. THAT the Department incorporate cumulative impact assessments when evaluating emissions in vulnerable regions.

- e. THAT the Department upgrade the Air Quality Data Portal with an interactive map browser, similar to that used by the Canadian Urban Environmental Health Research Consortium.
- f. THAT the Department provide a direct access mechanism or information request system to obtain ambient air quality data from the National Air Pollution Surveillance Program.
- g. THAT the Department expand the Air Quality Regulation to include PM_{2.5}, VOCs, odours and any other contaminants (e.g., wildfire smoke) that endanger human health or wellbeing.
- h. THAT the Department ensure that each contaminant listed in the Air Quality Regulation have defined numeric air quality objectives and enforceable limits.
- i. THAT the Department conduct systematic revisions of air quality objectives at regular intervals (e.g., every five years).
- j. THAT the Department establish an advisory committee to update air quality targets and management practices as new scientific evidence emerges.

4. Enforcement and Compliance

- a. THAT the *Clean Air Act* be amended to require persons responsible for an unauthorized release of contaminants to report the incident to the Department.
- b. THAT the *Clean Air Act* be amended to include specific criteria for when an investigation can be discontinued (e.g., if an application for review is deemed frivolous or vexatious).
- c. THAT the Department require standardized, mandatory monitoring and reporting of clean air violations and ensure that enforcement data is made public, updated regularly and available online through the Public Register.
- d. THAT the Department review its enforcement practices and policies to align with the purposes of the Act.
- e. THAT the Department consider the use of random inspections, increasing administrative penalties, and monitoring repeat or high-risk offenders as ways to improve compliance with clean air regulations.

5. Other Recommendations

- a. THAT the *Clean Air Act* be amended to recognize New Brunswick residents' right to clean air.
- b. THAT the *Clean Air Act* be amended to include environmental protection action provisions like those in the *Canadian Environmental Protection Act*.

- c. THAT the Department introduce tax incentives, payments, or other positive measures that would encourage farmers to participate in conservation measures to protect and enhance air quality.
- d. THAT the Department introduce incentives for industry to adopt clean technologies and reduce both GHG emissions and traditional pollutants.
- e. THAT the Province plan for a process to integrate New Brunswick's *Clean Environment Act*, *Clean Water Act*, and *Clean Air Act* into a single, modern Environment Act.

RECOMMENDATION

The Committee wishes again to express its appreciation to all those who provided input and key considerations on the revision of the *Clean Air Act*. As a result of these deliberations on the Act's content and operation, the Committee wishes to make the following recommendation:

THAT the Department of Environment and Local Government consider the information summarized in this report when revising the *Clean Air Act* and related regulations, in order to modernize standards and strengthen rules that protect outdoor air quality across the province.

APPENDIX: PARTICIPANTS

Conservation Council of New Brunswick

Dr. Colleen O'Connell and Dr. Daniel Saucier

East Coast Environmental Law

J.D. Irving, Limited

Maliseet Nation Conservation Council

National Farmers Union in New Brunswick

New Brunswick Lung Association Inc.

Peskotomuhkati Nation at Skutik

Saint John Citizens Coalition for Clean Air

Wolastoq Grand Council