

*April 25, 2024*

The Honourable Steven Guilbeault  
Minister of Environment and Climate Change Canada

**Re: Benzene Pollution Emergency in Aamjiwnaang First Nation**

Dear Minister Guilbeault,

As delegates from around the world are meeting on unceded Anishinaabe Algonquin territory, also known as Ottawa, to work toward an ambitious global treaty to tackle the plastic pollution crisis, the undersigned 100+ organizations observing and following the INC-4 negotiations are extremely concerned about the urgent environmental situation in Aamjiwnaang First Nation who is experiencing firsthand the dangerous impacts of pollution from plastic production.

Aamjiwnaang First Nation has been experiencing an environmental emergency since April 16, 2024 when the community learned that the air pollution concentrations of benzene, a cancer-causing chemical used and released by the nearby Ineos Styrolution plant during the production of the plastic monomer styrene, have reached dangerous levels that were more than 300 times greater than the health based air quality standard for benzene ([spikes ranged from 125 to 150 ug/m<sup>3</sup>](#) compared to 0.45 ug/m<sup>3</sup>).

It is deeply troubling that Canadian governments and Ineos have consistently failed to protect the health, safety, inherent rights, and treaty rights of Aamjiwnaang First Nation. According to the enforcement order issued by the Ontario government, Ineos Styrolution's styrene plant in Sarnia has repeatedly exceeded safe benzene levels. During the period of March 29 to April 16, 2024 alone, Ontario's Ministry of Environment, Conservation and Parks has documented 18 instances where 1-hour benzene levels exceeded 90 ug/m<sup>3</sup>.

This is not the first time that benzene emissions generated by Ineos Styrolution has put the Aamjiwnaang community at great risk. The Ontario government issued enforcement orders against Ineos Styrolution in 2019, 2020, and 2023 due to elevated levels of benzene from its production facility. Despite these repeated orders, the plant has consistently demonstrated that it cannot or will not meet safe air quality standards and community demands, and benzene levels have increased rather than decreased. The Ontario government also failed to hold Ineos to account and ensure it is compliant with provincial rules when it comes to benzene emissions.

Temporary closures of the immediate sources of benzene are the minimum required to address benzene leaks. A continued pattern of leaks, lack of compliance, and inadequate provincial enforcement and regulation over a period of many years indicates that a long-term shutdown of the facility is required unless Ineos Styrolution can prove its ability and willingness to meet health-based air quality standards and Aamjiwnaang's demands.

The federal government has committed to implementing the United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP). In 2021, the federal government enacted the *United Nations Declaration on the Rights of Indigenous Peoples Act* (UNDRIPA) the purpose of which is (a) to affirm the UNDRIP as a universal international human rights instrument with application in Canadian law, and (b) to provide a framework for the Government of Canada's implementation of the UNDRIP. Section 5 of the UNDRIPA requires the federal government, in consultation and cooperation with Indigenous peoples, to take all measures necessary to ensure the laws of Canada are consistent with the UNDRIP.

Article 29 of UNDRIP obligates Canadian governments to take effective measures to ensure that hazardous materials are not disposed of on traditional Indigenous territories. Article 24 of UNDRIP provides that Indigenous peoples have an equal right to the enjoyment of the highest attainable standard of physical and mental health, and that States shall take the necessary steps with a view to achieving progressively the full realization of this right.

The Canadian Environmental Protection Act (CEPA) compels the federal government to protect the right of every individual in Canada to a healthy environment and uphold principles of environmental justice and intergenerational equity. As Benzene is listed on the toxic substances list (Schedule 1) of CEPA, the federal government must ensure that communities such as Aamjiwnaang are protected from its acute, chronic, and cumulative effects.

Recurrent high exposure to benzene puts residents at [elevated cancer risks](#) and denies Aamjiwnaang First Nation their ability to engage their inherent and constitutionally protected Aboriginal and Treaty rights. As Aamjiwnaang First Nation Band Council [has stated](#), "reconciliation should not perpetuate the historical imbalance whereby Aamjiwnaang members' lives are reduced to the point where the state can justify the emission of benzene levels which would not be tolerated anywhere else in Canada."

**We stand in solidarity with the Aamjiwnaang community and call on the federal government to take immediate steps to ensure the Ineos Styrolution plant in Sarnia, Ontario is closed until such a time that Aamjiwnaang First Nation is satisfied that Ineos Styrolution is able and willing to meet health-based air quality standards and the community's demands.**

As host of the fourth round of plastic treaty negotiations, and as a member of the High Ambition Coalition (HAC) that has set a commendable goal of ending plastic pollution by 2040, Canada must act with integrity and set an example on the global stage by taking action to address this environmental emergency and the environmental racism that Aamjiwnaang First Nation has experienced from benzene pollution. Failure to act puts at risk Canada's reputation and credibility both domestically and internationally as a leader to address the plastic pollution crisis.

In solidarity,

Ecojustice Canada  
Environmental Defence Canada  
Climate Action Network Canada (CAN-Rac)  
Health and Environment Justice Support (HEJSupport)  
Surfrider Foundation Canada  
re•generation  
WALHI/Friends of the Earth Indonesia  
Alianza Basura Cero Chile  
Red de Acción por los Derechos Ambientales RADA  
Clean Air Partnership  
Viento Sur  
EARTHDAY.ORG  
Environmental Investigation Agency  
Greenpeace Canada  
The Canadian Coalition for Environmental and Climate Justice (CCECJ)  
Ecology Center  
Citizens' Climate Lobby Canada  
Fridays For Future Greater Sudbury  
Canadian Association of Physicians for the Environment (CAPE)  
Divest McGill  
Stand.earth  
Shake Up The Establishment  
Women's Healthy Environments Network (WHEN)

Shift Action for Pension Wealth and Planet Health  
Taller Ecologista  
Canadian Federation of Medical Students - HEART  
Canada Network of Expertise and Dialogue on Impact Assessment (NEDIA)  
Citizens for Public Justice  
Nova Scotia Voice of Women for Peace  
Center for International Environmental Law (CIEL)  
International Pollutants Elimination Network (IPEN)  
Alaska Community Action on Toxics  
Pan African Vision for the Environment (PAVE)  
Human Environmental Association for Development (HEAD)  
Action des Femmes pour une Planète Bio (AFEPB)  
Sustainable Environment Development Initiative  
Community Action Against Plastic Waste (CAPws)  
Centre for Citizens Conserving Environment & Management (CECIC)  
Almang Market  
Acción Ecológica Mexico  
Nexus3 Foundation  
Hamraah Foundation  
Alrwad Foundation for Projects and Development  
Arnika - Toxics and Waste Programme  
RAPAL Uruguay  
Beyond Plastics  
Armenian Women for Health and Healthy Environment  
Legal Advocates for Nature's Defence  
Human Environmental Association for Development (HEAD)  
We Yone Child Foundation  
Break Free From Plastic (BFFP)  
Southwest Ontario KAIROS  
Center for Coalfield Justice  
Breathe Free Detroit  
Society of Native Nations  
Keepers of the Water  
Seniors for Climate Action Now!  
Friends of the Earth Canada  
For Our Kids  
Just Transition Alliance  
AKO Foundation  
National Hawker Federation (NHF), India  
Skeena Watershed Conservation Coalition

Leadnow  
Breast Cancer Action Québec  
Center to Combat Corruption and Cronyism (C4 Center), Malaysia  
West Coast Environmental Law Association  
KAIROS: Canadian Ecumenical Justice Initiatives  
Centre for Earth Works  
Lake Winnipeg Indigenous Collective  
The ENRICH Project  
Families Reclaiming Our Environment  
Oxford Coalition for Social Justice  
Southwest Detroit Environmental Vision  
Mind Your Plastic  
Ontario Nature  
Windsor-Essex on Watch (WOW)  
Wildsight  
Freshwater Future  
Research for the Front Lines  
Citizens Environment Alliance of Southwestern Ontario  
Breathe Project  
Indigenous Climate Action  
Wilderness Committee  
Defend Our Health  
Associação de Combate aos Poluentes (ACPO)  
Associação de Saúde Socioambiental (ASSA)  
David Suzuki Foundation  
Heirs To Our Ocean  
Fenceline Watch  
North American Climate, Conservation and Environment (NACCE)  
FreshWater Accountability Project  
Grandmothers Advocacy Network  
Plastic Pollution Coalition  
Micah Six Eight Mission  
Ecology Action Centre  
Greenpeace  
Sierra Club Canada Foundation  
University of Colorado Boulder Environmental Studies Grad Cohort  
Ohio Valley Allies  
Kuala Langat Environmental Action Association  
López-Wagner Strategies, An Equitable Communications Agency®  
Kuala Langat Environmental Action Association

Center for Biological Diversity  
Wonjin Institute for Occupational and Environmental Health  
Zero Waste Sabah  
Ignatius Jesuit Centre  
Sahabat Alam Malaysia (Friends of the Earth)  
Consumers' Association of Penang  
Malaysian Nature Society Selangor Branch Green Living Special Interest Group  
Plastic Solutions Fund  
Grambangla Unnayan Committee  
Unity Council for the Easy Palestine, OH Train Derailment  
Toronto Environmental Alliance

**CC:**

**The Honourable Mark Holland, Minister of Health**

**The Honourable Gary Anandasangaree, Minister of Crown-Indigenous Relations**

**The Honourable Andrea Khanjin, Ontario's Minister of Environment, Conservation and Parks**

**The Honourable Greg Rickford, Ontario's Minister of Indigenous Affairs**

**Mayor Mike Bradley, City of Sarnia, Ontario**

**Chief Chris Plain, Aamjiwnaang First Nation**