

**ARTICLE 14**  
**SUBMISSIONS ON**  
**ENFORCEMENT MATTERS**  
**(Process status as of 23 January 2019)**

This memo provides an update on the status and background of the **94** submissions filed with the Commission for Environmental Cooperation (CEC) as of 23 January 2019. These submissions include **32** concerning Canada, **49** concerning Mexico, **12** concerning the United States, and **one** concerning both Canada and the United States.

**Update on activity since last report of 17 October 2018**

**Status of the 5 submissions currently under process:**

- **Developing a factual record:** In accordance with Council Resolution 18-01 of 20 August 2018, the Secretariat is developing a Factual Record regarding submission SEM-17-001 (*Alberta Tailings Ponds II*) concerning Canada. A draft factual record is due to Council on 9 May 2019.
- **Awaiting a decision from Council:** On 17 December 2018, the Secretariat notified the Council that the Secretariat considers submission SEM-18-002 (*Metrobús Reforma*) warrant the development of a factual record. The Council's decision on this recommendation is due 2 April 2019.
- **Awaiting a response from Mexico under Article 14:** On 22 January 2019, the Secretariat issued a determination on submission SEM-18-004 (*Chileno Bay Club*). The Secretariat determined that the submission met all admissibility requirements of Article 14(1) and considered that the submission merits a response from Mexico under Article 14(2). Mexico may provide a response by 6 March 2019 and, in exceptional circumstances, until April 18 2019.
- **Awaiting a revised submission under Article 14:** On 17 January 2019, the Secretariat issued a determination on submission SEM-18-005 (*Grand-Brûlé—Saint Sauveur Supply Line*) concerning Canada. The Secretariat determined that the submission did not meet all of the criteria of Article 14(1) and informed the Submitters that it would dismiss the submission if they did not submit a revised submission by 11 April 2019 which does meet the 14(1) requirements.
- **Awaiting a revised submission under Article 14:** On 15 November 2018, the Secretariat issued a determination on submission SEM-18-003 (*Hydraulic Fracturing in Nuevo Leon*) concerning Mexico. The Secretariat determined that the submission did not meet all of the criteria of Article 14(1) and informed the Submitters that it would dismiss the submission if they did not submit a revised submission by 27 February 2019 which does meet the 14(1) requirements.

**Historical Background of Closed Submissions:**

The **89** submissions that are no longer pending were addressed as follows:

<b><u>The Secretariat has dismissed 29 submissions because they failed to meet the requirements of Article 14(1) or (2):</u></b>	
SEM-95-001 (Spotted Owl)	SEM-95-002 (Logging Rider)

**ARTICLE 14**  
**SUBMISSIONS ON**  
**ENFORCEMENT MATTERS**  
**(Process status as of 23 January 2019)**

SEM-96-002 (Aage Tottrup)	SEM-97-004 (CEDF)
SEM-97-005 (Biodiversity)	SEM-98-001 (Guadalajara)
SEM-98-002 (Ortiz Martínez)	SEM-00-001 (Molymex I)
SEM-00-003 (Jamaica Bay)	SEM-01-002 (AAA Packaging)
SEM-01-003 (Dermet)	SEM-02-005 (Alca-Iztapalapa)
SEM-03-002 (Home Port Xcaret)	SEM-04-002 (Environmental Pollution in Hermosillo)
SEM-04-003 (Gasoline spill in Tehuantepec)	SEM-04-004 (Oldman River III)
SEM-06-002 (Devils Lake)	SEM-07-002 (Mount Orford Park)
SEM-07-003 (Seal Hunting)	SEM-07-004 (St. Clair River)
SEM-08-002 (Air pollution in suburban Montreal)	SEM-08-003 (Jetty construction in Cancun)
SEM-10-001 (Sumidero Canyon)	SEM-09-004 (Quebec Mining)
SEM-10-004 (Bicentennial Bridge)	SEM-11-001 (PCB Treatment in Grandes-Piles, Qc)
SEM-12-002 (St. Lawrence River Wind Farms)	SEM-13-002 (Louisiana Refinery Releases)
SEM-13-003 (Refinery Releases in Shreveport, Louisiana)	
<b><u>3 submissions have been terminated by the Secretariat under Article 14(3)(a):</u></b>	
SEM-99-001 (Methanex)	SEM- 00-002 (Neste Canada)
SEM-07-005 (Drilling Waste in Cunduacán)	
<b><u>20 submissions have been terminated by the Secretariat under Article 15(1):</u></b>	
SEM-96-003 (Oldman River I)	SEM-97-007 (Lake Chapala)
SEM-98-003 (Great Lakes)	SEM-98-005 (Cytrar)
SEM-02-002 (Mexico City Airport)	SEM-03-001 (Ontario Power Generation)
SEM-03-006 (Cytrar III)	SEM-04-001 (Hazardous Waste in Arteaga)
SEM-05-001 (Crushed Gravel in Puerto Peñasco)	SEM-06-006 (Los Remedios National Park)
SEM-07-001 (Minera San Xavier)	SEM-08-001 (La Ciudadela Project)

**ARTICLE 14**  
**SUBMISSIONS ON**  
**ENFORCEMENT MATTERS**  
**(Process status as of 23 January 2019)**

SEM-09-001 (Transgenic Maize in Chihuahua)	SEM-09-003 (Los Remedios National Park II)
SEM-09-005 (Skeena River Fishery)	SEM-10-003 (Iona Wastewater Treatment)
SEM-15-003 (Municipal Wastewater Drop Shafts)	SEM-15-002 (Management of Analog TV Waste)
SEM-16-002 (Monterrey VI Aqueduct)	SEM-18-001 (Transboundary Agricultural Burning)
<b><u>5 submissions have been withdrawn:</u></b>	
SEM-96-004 (Fort Huachuca)	SEM-02-004 (El Boludo Project)
SEM-05-002 (Coronado Islands)	SEM-06-001 (Ex Hacienda El Hospital)
SEM-06-005 (Species at Risk)	
<b><u>23 factual records have been prepared and made public:</u></b>	
SEM-96-001 (Cozumel)	SEM-98-006 (Aquanova)
SEM-97-001 (BC Hydro)	SEM-98-007 (Metales y Derivados)
SEM-97-002 (Río Magdalena)	SEM-99-002 (Migratory Birds)
SEM-97-006 (Oldman River II)	SEM-00-004 (BC Logging )
SEM-98-004 (BC Mining)	SEM-00-005 (Molymex II)
SEM-02-003 (Pulp and Paper)	SEM-00-006 (Tarahumara)
SEM-02-001 and SEM-04-006 (Ontario Logging I and II)	SEM-03-004 (ALCA-Iztapalapa II)
SEM-03-005 (Montreal Technoparc)	SEM-04-007 (Quebec Automobiles)
SEM-03-003 (Lake Chapala II)	SEM-05-003 (Environmental Pollution in Hermosillo II)
SEM-06-003 and SEM 06-004 (Ex Hacienda El Hospital II and III)	SEM-04-005 (Coal-fired Power Plants)
SEM-11-002 (Sumidero Canyon II)	SEM-09-002 (Wetlands in Manzanillo)
SEM-16-001 (Agricultural Waste Burning in Sonora)	
<b><u>The Council has dismissed 7 submissions under Article 15(2) following notification from the Secretariat that preparation of a factual record was warranted:</u></b>	
SEM-97-003 (Quebec Hog Farms)	SEM-01-001 (Cytrar II)

**ARTICLE 14  
SUBMISSIONS ON  
ENFORCEMENT MATTERS  
(Process status as of 23 January 2019)**

SEM-11-003 (Protection of Polar Bears)	SEM-12-001 (BC Salmon Farms)
SEM-10-002 (Alberta Tailings Ponds)	SEM-13-001 (Tourism Development in the Gulf of California)
SEM-15-001 (La Primavera Forest)	

*The table below provides a summary and status update on each submission.*

SEM IDENTIFICATION AND NAME OF SUBMITTER(S)	MATTER ADDRESSED IN THE SUBMISSION	DATE FILED	PARTY	PROCESS STATUS
SEM-95-001 (Spotted Owl) <i>Biodiversity Legal Foundation et al.</i>	The Submitters alleged that provisions of the “Rescissions Act” have resulted in a failure to enforce effectively selected provisions of the Endangered Species Act.	5 July 1995	United States	Process terminated under Article 14(2) on 11 December 1995.
SEM-95-002 (Logging Rider) <i>Sierra Club et al.</i>	The Submitters alleged that provisions of the Fiscal Year 1995 Supplemental Appropriations, Disaster Assistance and Rescissions Act result in a failure to enforce effectively all applicable Federal environmental laws by eliminating private remedies for salvage timber sales.	30 August 1995	United States	Process terminated under Article 14(1) on 8 December 1995.
SEM-96-001 (Cozumel) <i>Comité para la Protección de los Recursos Naturales, A.C. et al.</i>	The Submitters alleged that the appropriate authorities failed to effectively enforce environmental laws during the evaluation process of the project “Construction and Operation of a Public Harbor Terminal for Tourist Cruises on the Island of Cozumel, State of Quintana Roo.”	17 January 1996	Mexico	Factual Record released on 24 October 1997. The process was therefore terminated.
SEM-96-002 (Aage Tottrup) <i>Aage Tottrup</i>	The Submitter asserted that the governments of Canada and Alberta have failed to effectively enforce their environmental laws resulting in the pollution of specified wetland areas which impacts on the habitat of fish and migratory birds.	20 March 1996	Canada	Process terminated under Article 14(2) on 28 May 1996.
SEM-96-003 (Oldman River I) <i>The Friends of the Oldman River</i>	The Submitter alleged that the Government of Canada is failing to apply, comply with and enforce the habitat protection sections of the Fisheries Act and the CEAA (Canadian Environmental Assessment Act).	9 September 1996	Canada	Process terminated under Article 15(1) on 2 April 1997.

**ARTICLE 14  
SUBMISSIONS ON  
ENFORCEMENT MATTERS  
(Process status as of 23 January 2019)**

SEM IDENTIFICATION AND NAME OF SUBMITTER(S)	MATTER ADDRESSED IN THE SUBMISSION	DATE FILED	PARTY	PROCESS STATUS
SEM-96-004 (Fort Huachuca) <i>The Southwest Center for Biological Diversity et al.</i>	The Submitters alleged that the United States is failing to effectively enforce its environmental law, namely the National Environmental Policy Act (NEPA), with respect to the United States Army's operation of Fort Huachuca, Arizona.	14 November 1996	United States	Process terminated by Submitters' withdrawal on 5 June 1997.
SEM-97-001 (BC Hydro) <i>B.C. Aboriginal Fisheries Commission et al.</i>	The Submitters allege that the Canadian Government is failing to «enforce s. 35(1) of the Fisheries Act, and to utilize its powers pursuant to s. 119.06 of the National Energy Board Act, to ensure the protection of fish and fish habitat in British Columbia's rivers from ongoing and repeated environmental damage caused by hydro-electric dams.	2 April 1997	Canada	Factual record released on 11 June 2000. The process was therefore terminated.
SEM-97-002 (Rio Magdalena) <i>Comité pro Limpieza del Río Magdalena</i>	The Submitters allege that wastewater originating in the municipalities of Imuris, Magdalena de Kino, and Santa Ana, located in the Mexican state of Sonora, is being discharged into the Magdalena River without prior treatment, in violation of Mexican environmental legislation governing the disposal of wastewater.	15 March 1997	Mexico	Factual record released on 11 December 2003. The process was therefore terminated.
SEM-97-003 (Quebec Hog Farms) <i>Centre québécois du droit de l'environnement</i>	The Submitters allege a failure to enforce several environmental standards related to agriculture on the territory of the Province of Quebec.	9 April 1997	Canada	Process terminated under Article 15(2) on 16 May 2000.
SEM-97-004 (CEDF) <i>Canadian Environmental Defence Fund</i>	The Submitter alleged that Canada has failed to enforce its law requiring environmental assessment of federal initiatives, policies and programs.	26 May 1997	Canada	Process terminated under Article 14(1) on 25 August 1997.
SEM-97-005 (Biodiversity) <i>Animal Alliance of Canada et al.</i>	The Submitters alleged that Canada is failing to enforce its regulation ratifying the Convention on Biological Diversity signed at the Rio Earth Summit on 11 June 1992, and subsequently ratified pursuant to an Order-in-Council on 4 December 1992.	22 July 1997	Canada	Process terminated under Article 14(1) on 26 May 1998.

**ARTICLE 14  
SUBMISSIONS ON  
ENFORCEMENT MATTERS  
(Process status as of 23 January 2019)**

SEM IDENTIFICATION AND NAME OF SUBMITTER(S)	MATTER ADDRESSED IN THE SUBMISSION	DATE FILED	PARTY	PROCESS STATUS
SEM-97-006 (Oldman River II) <i>The Friends of the Oldman River</i>	The Submitter alleges that Canada is failing to apply, comply with and enforce the habitat protection sections of the Fisheries Act and the CEAA (Canadian Environmental Assessment Act).	4 October 1997	Canada	Factual record released on 11 August 2003. The process was therefore terminated.
SEM-97-007 (Lake Chapala) <i>Instituto de Derecho Ambiental</i>	The Submitters allege that Mexico is failing to enforce environmental law, in connection with the citizen complaint filed on 23 September 1996, concerning the degradation of the Lerma Santiago River–Lake Chapala Basin.	10 October 1997	Mexico	Process terminated under Article 15(1) on 14 July 2000.
SEM-98-001 (Guadalajara) <i>Instituto de Derecho Ambiental</i> , with citizens affected by the April 22 <sup>nd</sup> explosions	The Submitters allege that Mexican Federal Attorney General and the Federal Judiciary did not duly enforce the General Law on Ecological Balance and Environmental Protection (LGEEPA) in relation to the explosions in the Reforma area of Guadalajara, State of Jalisco.	9 January 1998	Mexico	Process terminated under Article 14(1) on 11 January 2000.
SEM-98-002 (Ortiz Martínez) <i>Hector Gregorio Ortiz Martínez</i>	The submission alleged “improper administrative processing, omission and persistent failure to effectively enforce” environmental law in connection to a citizen complaint filed by the Submitter.	14 October 1997	Mexico	Process terminated under Article 14(1) on 18 March 1999.
SEM-98-003 (Great Lakes) <i>Department of the Planet Earth et al.</i>	The Submitters assert that the US Environmental Protection Agency’s regulations drafted and programs adopted to control airborne emissions of dioxins/furans, mercury and other persistent toxic substances from solid waste and medical waste incinerators violate and fail to enforce both: 1) US domestic laws, and; 2) the ratified US-Canadian treaties designed to protect the Great Lakes that are partly referenced in the US Clean Air Act.	27 May 1998	United States	Process terminated under Article 15(1) on 5 October 2001.
SEM-98-004 (BC Mining) <i>Sierra Club of British Columbia, et al.</i>	The submission alleges a systemic failure of Canada to enforce section 36(3) of the Fisheries Act to protect fish and fish habitat from the destructive environmental impacts of the mining industry in British Columbia.	29 June 1998	Canada	Factual record released on 12 August 2003. The process was therefore terminated.

**ARTICLE 14**  
**SUBMISSIONS ON**  
**ENFORCEMENT MATTERS**  
**(Process status as of 23 January 2019)**

SEM IDENTIFICATION AND NAME OF SUBMITTER(S)	MATTER ADDRESSED IN THE SUBMISSION	DATE FILED	PARTY	PROCESS STATUS
SEM-98-005 (Cytrar) <i>Academia Sonorense de Derechos Humanos et al.</i>	The Submitters allege that Mexico has failed to effectively enforce environmental law by having authorized the operation of a hazardous waste landfill (CYTRAR) less than six kilometers away from Hermosillo, Sonora.	23 July 1998	Mexico	Process terminated in accordance with Article 15(1) on 26 October 2000.
SEM-98-006 (Aquanova) <i>Grupo Ecológico Manglar A.C.</i>	The submission alleges that Mexico is failing to effectively enforce its environmental laws with respect to the establishment and operation of <i>Granjas Aquanova S.A.</i> , a shrimp farm in Isla del Conde, San Blas, Nayarit, Mexico.	20 October 1998	Mexico	Factual record released on 23 June 2003. The process was therefore terminated.
SEM-98-007 (Metales y Derivados) <i>Environmental Health Coalition et al.</i>	The Submitters allege that Mexico has failed to effectively enforce its environmental law in connection with an abandoned lead smelter in Tijuana, Baja California, Mexico, that poses serious threats to the health of the neighboring community, and to the environment.	23 October 1998	Mexico	Factual record released on 11 February 2002. The process was therefore terminated.
SEM-99-001 (Methanex) <i>Methanex Corporation</i> (consolidated with SEM-00-002)	The Submitters allege that the United States of America has failed to enforce California's environmental laws and regulations related to water resource protection and to the regulation of underground storage tanks (USTs).	18 October 1999	United States	Process terminated under Article 14(3)(a) on 30 June 2000.
SEM-99-002 (Migratory Birds) <i>Alliance for the Wild Rockies, et al.</i>	The Submitters allege that the United States Government is failing to effectively enforce Section 703 of the Migratory Bird Treaty Act (MBTA), 16 U.S.C. §§703-712, which prohibits the killing of migratory birds without a permit.	19 November 1999	United States	Factual record released on 24 April 2003. The process was therefore terminated.

**ARTICLE 14  
SUBMISSIONS ON  
ENFORCEMENT MATTERS  
(Process status as of 23 January 2019)**

SEM IDENTIFICATION AND NAME OF SUBMITTER(S)	MATTER ADDRESSED IN THE SUBMISSION	DATE FILED	PARTY	PROCESS STATUS
SEM-00-001 (Molymex I)  <i>Rosa María Escalante de Fernández</i>	The Submitter asserts that health and crops in the town of Cumpas, Sonora, Mexico, have been affected by air pollution from the Molymex, S.A. de C.V. plant which allegedly operates in violation of LGEEPA air quality provisions and Official Mexican Standards for environmental health that establish limits for sulfur dioxide and particulate matter of ten microns or less (PM <sub>10</sub> ).	28 January 2000	Mexico	Process terminated under Article 14(1) on 25 April 2000.
SEM-00-002 (Neste Canada)  <i>Neste Canada Inc.</i> (consolidated with SEM-99-001)	The Submitter believes that applicable regulatory agencies in California are not enforcing environmental laws, as defined in the NAAEC, relating to underground storage tanks (USTs) with the result that significant volumes of gasoline continue to leak into and contaminate soil, water and air in that State.	21 January 2000	United States	Process terminated under Article 14(3)(a) on 30 June 2000.
SEM-00-003 (Jamaica Bay)  <i>Hudson River Audubon Society of Westchester, Inc., et al.</i>	The Submitters allege that the United States Department of Interior – National Park Service, is failing to enforce and proposing to violate: (i) Section 703 of the Migratory Bird Treaty Act (MTBA) 16 U.S.C. 703-712, which prohibits the killing of migratory birds without a permit from the U.S. Fish and Wildlife Service; and (ii) Sections 4 through 10 of the Endangered Species Act of 1973 (ESA), which prohibits the taking of endangered and threatened species and requires the protection of such species “whether by protection of habitat and food supply” and requires the designation of “critical habitat.”	2 March 2000	United States	Process terminated under Article 14 (1) on 12 April 2000.

**ARTICLE 14**  
**SUBMISSIONS ON**  
**ENFORCEMENT MATTERS**  
**(Process status as of 23 January 2019)**

SEM IDENTIFICATION AND NAME OF SUBMITTER(S)	MATTER ADDRESSED IN THE SUBMISSION	DATE FILED	PARTY	PROCESS STATUS
SEM-00-004 (BC Logging) <i>David Suzuki Foundation et al.</i>	The Submitters allege that the Government of Canada “is in breach of its commitments under NAAEC to effectively enforce its environmental laws and to provide high levels of environmental protection.” They allege that the Fisheries Act is violated by logging activities undertaken by British Columbia.	15 March 2000	Canada	Factual record released on 11 August 2003. The process was therefore terminated.
SEM-00-005 (Molymex II) <i>Academia Sonorense de Derechos Humanos and Domingo Gutiérrez Mendivil</i>	The Submitters allege that Mexico failed to effectively enforce the General Law of Ecological Equilibrium and Environmental Protection (Ley General del Equilibrio Ecológico y la Protección al Ambiente—LGEEPA) in relation to the operation of the company Molymex, S.A. de C.V. (Molymex) in the town of Cumpas, Sonora, Mexico.	6 April 2000	Mexico	Factual record released on 8 October 2004. The process was therefore terminated.
SEM-00-006 (Tarahumara) <i>Comisión de Solidaridad y Defensa de los Derechos Humanos, AC</i>	The Submitters allege a failure by Mexico to effectively enforce its environmental law by denying access to environmental justice to Indigenous communities in the Sierra Tarahumara in the state of Chihuahua.	9 June 2000	Mexico	Factual record released on 9 January 2006. The process was therefore terminated.
SEM-01-001 (Cytrar II) <i>Academia Sonorense de Derechos Humanos A.C. et al.</i>	The Submitters allege that Mexico has failed to effectively enforce environmental law by having authorized the operation of the hazardous waste landfill (CYTRAR) located near the city of Hermosillo, Sonora.	14 February 2001	Mexico	The process was terminated under Article 15(2) on 10 December 2002.
SEM-01-002 (AAA Packaging)*	The Submitters allege that the government of Canada is not complying with Article 2(3) of the North American Agreement on Environmental Cooperation by failing to issue a prohibitory and/or injunctive order halting the export to the United States, by	12 April 2001	Canada	The process was terminated under Article 14(1) on 24 April 2001.

\* Identity of Submitters withheld pursuant to Article 11(8)(a)

**ARTICLE 14**  
**SUBMISSIONS ON**  
**ENFORCEMENT MATTERS**  
**(Process status as of 23 January 2019)**

SEM IDENTIFICATION AND NAME OF SUBMITTER(S)	MATTER ADDRESSED IN THE SUBMISSION	DATE FILED	PARTY	PROCESS STATUS
	AAA Packaging, of products containing “isobutyl nitrite”, which the Submitters claim is a “banned hazardous substance”.			
SEM-01-003 (Dermet) <i>Mercerizados y Teñidos de Guadalajara, S.A.</i>	The submission claims that, in a civil trial, Mexico refused to treat as valid evidence a technical opinion issued by the Federal Attorney for Environmental Protection, relating to groundwater contamination that the submission says was caused by the firm Dermet, S.A. de C.V., a producer of pesticides and fungicides in the city of Guadalajara.	14 June 2001	Mexico	The process was terminated under Article 14(1) on 19 September 2001.
SEM-02-001 (Ontario Logging) <i>Canadian Nature Federation et al.</i>	The Submitters assert that Canada is failing to effectively enforce section 6(a) of the Migratory Bird Regulations (MBR) adopted under the Migratory Birds Convention Act 1994, with respect to migratory bird nest destruction by clear-cut logging in Ontario.	6 February 2002	Canada	Factual record released on 5 February 2007. The process was therefore terminated.
SEM-02-002 (Mexico City Airport) <i>Jorge Rafael Martínez Azuela et al.</i>	The Submitters assert that Mexico is failing to effectively enforce its environmental laws with respect to the noise emissions originating at the Mexico City International Airport ( <i>Aeropuerto Internacional de la Ciudad de México—AICM</i> ). According to the Submitters, there are studies showing that the noise emissions of the AICM exceed the limits established in environmental law, causing irreversible damage to the thousands of persons living near the airport.	7 February 2002	Mexico	Process terminated in accordance with Article 15(1) on 25 September 2002.

**ARTICLE 14**  
**SUBMISSIONS ON**  
**ENFORCEMENT MATTERS**  
**(Process status as of 23 January 2019)**

SEM IDENTIFICATION AND NAME OF SUBMITTER(S)	MATTER ADDRESSED IN THE SUBMISSION	DATE FILED	PARTY	PROCESS STATUS
SEM-02-003 (Pulp and Paper)  <i>Friends of the Earth et al.</i>	The Submitters allege that Canada is failing to effectively enforce the pollution prevention provisions of the Fisheries Act and provisions of the Pulp and Paper Effluent Regulations, or PPER, against pulp and paper mills in Quebec, Ontario and the Atlantic provinces. Section 36 of the Fisheries Act prohibits the deposit of a deleterious substance in water frequented by fish, except as authorized by regulations such as the PPER.	8 May 2002	Canada	Factual record released on 5 February 2007. The process was therefore terminated.
SEM-02-004 (El Boludo Project)  <i>Arcadio Pesqueira Senday et al.</i>	The Submitters assert that Mexico is failing to effectively enforce the General Law of Ecological Balance and Environmental Protection (Ley General del Equilibrio Ecológico y la Protección al Ambiente—LGEEPA), paragraphs III and IV of Article 15 of the LGEEPA Hazardous Waste Regulations and the Mining Law and its Regulations, with respect to the “El Boludo” gold mining project on the Submitters’ land, in the Municipality of Trincheras, Sonora, Mexico.	23 August 2002	Mexico	Process terminated by Submitters’ withdrawal on 7 July 2004.
SEM-02-005 (ALCA-Iztapalapa)  <i>Angel Lara García</i>	The Submitter asserts that Mexico is failing to effectively enforce its environmental legislation regarding alleged emissions of highly toxic contaminants by the company ALCA, S.A. de C.V. The company manufactures footwear-related articles and its facility borders on the Submitter’s residence in the Santa Isabel Industrial neighbourhood, located in Mexico City’s Iztapalapa district.	25 November 2002	Mexico	The process was terminated under Article 14(1) on 17 December 2002.
SEM-03-001 (Ontario Power Generation)  <i>49 Canadian and United States nongovernmental organizations.</i>	The Submitters assert that Canada is failing to effectively enforce sections 166 and 176 of the Canadian Environmental Protection Act and section 36(3) of the Fisheries Act, with respect to emissions of mercury, sulfur dioxide and nitrogen oxides from Ontario Power Generation's (OPG) coal-powered facilities.	1 May 2003	Canada	Process terminated in accordance with Article 15(1) on 28 May 2004.

**ARTICLE 14  
SUBMISSIONS ON  
ENFORCEMENT MATTERS  
(Process status as of 23 January 2019)**

SEM IDENTIFICATION AND NAME OF SUBMITTER(S)	MATTER ADDRESSED IN THE SUBMISSION	DATE FILED	PARTY	PROCESS STATUS
SEM-03-002 (Home Port Xcaret) <i>Alfonso Ciprés Villareal, et al.</i>	The Submitters allege that Mexico is failing to effectively enforce Article 34 of the General Law of Ecological Balance and Environmental Protection (Ley General del Equilibrio Ecológico y la Protección al Ambiente—LGEEPA) and Articles 37, 38 and 40 through 43 of the Environmental Impact Regulations, with respect to the EIA for the Home Port Xcaret project in the state of Quintana Roo, Mexico.	14 May 2003	Mexico	Process terminated under Article 14(1) on 31 July 2003.
SEM-03-003 (Lake Chapala II) <i>Dr. Raquel Gutierrez Najera, et al</i>	The Submitters assert that Mexico is failing to effectively enforce its environmental law with respect to the management of the Lerma-Chapala-Santiago-Pacífico basin, resulting in serious environmental deterioration and uneven water distribution in the basin, as well as the risk that Lake Chapala and its migratory birds will eventually disappear.	23 May 2003	Mexico	Factual record released on 23 January 2013. The process was therefore terminated.
SEM-03-004 (ALCA-Iztapalapa II) <i>Angel Lara García</i>	The Submitter asserts that Mexico is failing to effectively enforce Article 150 of the General Law of Ecological Balance and Environmental Protection (Ley General del Equilibrio Ecológico y la Protección al Ambiente—LGEEPA), with respect to a citizen complaint filed with the Office of the Federal Attorney General for Environmental Protection (Procuraduría Federal de Protección al Ambiente—Profepa) in 1995, regarding environmental irregularities in the operation of a footwear materials factory located in the Santa Isabel Industrial neighborhood of Iztapalapa Delegation in Mexico, D.F., where the Submitter lives.	17 June 2003	Mexico	Factual record released on 2 June 2008. The process was therefore terminated.

**ARTICLE 14  
SUBMISSIONS ON  
ENFORCEMENT MATTERS  
(Process status as of 23 January 2019)**

SEM IDENTIFICATION AND NAME OF SUBMITTER(S)	MATTER ADDRESSED IN THE SUBMISSION	DATE FILED	PARTY	PROCESS STATUS
SEM-03-005 (Montreal Technoparc) <i>Waterkeeper Alliance, et al</i>	The Submitters assert that Canada is failing to effectively enforce section 36(3) of the Fisheries Act, with respect to polychlorinated biphenyls (PCBs), polycyclic aromatic hydrocarbons (PAHs) and other pollutants being discharged from Technoparc, the site of an historic industrial and municipal waste landfill.	14 August 2003	Canada	Factual record released on 23 June 2008. The process was therefore terminated.
SEM-03-006 (Cytrar III) <i>Academia Sonorense de Derechos Humanos, A.C. and Domingo Gutiérrez Mendivil</i>	The submission asserts that Mexico is failing to effectively enforce its environmental law in relation to the establishment and operation of the Cytrar landfill in Sonora, Mexico.	15 August 2003	Mexico	Process terminated in accordance with Article 15(1) on 27 October 2004.
SEM-04-001 (Hazardous waste in Arteaga) <i>Francisco H. Garza Vara et al.</i>	The Submitters assert that Mexico is failing to effectively enforce its environmental laws by not properly processing their complaint against the companies Ecolimpio de México, SA de CV and Transportes J. Guadalupe Jiménez, SA, and by not penalizing those companies.	27 January 2004	Mexico	Process terminated under Article 15(1) on 27 January 2005.
SEM-04-002 (Environmental Pollution in Hermosillo) <i>Academia Sonorense de Derechos Humanos, A.C. and Domingo Gutiérrez Mendivil</i>	The Submitters assert that Mexico is failing to effectively enforce various provisions of Mexican environmental law regarding the prevention, monitoring, oversight and control of air pollution in Hermosillo, Sonora.	14 July 2004	Mexico	Process terminated under Article 14(2) on 27 January 2005.

**ARTICLE 14  
SUBMISSIONS ON  
ENFORCEMENT MATTERS  
(Process status as of 23 January 2019)**

SEM IDENTIFICATION AND NAME OF SUBMITTER(S)	MATTER ADDRESSED IN THE SUBMISSION	DATE FILED	PARTY	PROCESS STATUS
SEM-04-003 (Gasoline spill in Tehuantepec) <i>Centro de Derechos Humanos Tepeyac del Istmo de Tehuantepec, A.C. et al.</i>	The submission asserts that Mexico is failing to effectively enforce its environmental laws by not duly processing or responding to a citizen complaint filed with the Office of the Federal Attorney for Environmental Protection (Procuraduría Federal de Protección al Ambiente—Profepa) on 16 February 2004. The complaint deals with the death of fish in the Laguna Superior of the Gulf of Tehuantepec in Oaxaca, Mexico, due to the alleged spillage of 68,000 liters of gasoline into the lagoon following a tanker truck accident.	7 September 2004	Mexico	Process terminated under Article 14(1) on 7 October 2004.
SEM-04-004 (Oldman River III) <i>The Friends of the Oldman River</i>	The Submitters assert that the federal government's 1998 "Decision Framework for the Determination and Authorization of Harmful Alteration, Disruption or Destruction of Fish Habitat" is not authorized by or compatible with the Fisheries Act or the CEAA. The Submitters contend that between 1 April 2001 and 31 March 2002, the Minister of Fisheries and Oceans (DFO) was involved in 6922 letters of advice to project proponents that were unlawful because they were not authorized under section 35 of the Fisheries Act and because no environmental assessment was conducted as required by section 5 of CEAA before the letters were issued.	10 September 2004	Canada	Process terminated under Article 14(1) on 14 October 2004.
SEM-04-005 (Coal-fired Power Plants) <i>Waterkeeper Alliance et al.</i>	The Submitters assert that the United States is failing to effectively enforce the federal Clean Water Act against coal-fired power plants for mercury emissions that are allegedly degrading thousands of rivers, lakes and other water bodies across the United States.	20 September 2004	United States	Factual record released on 26 June 2014. The process was therefore terminated.

**ARTICLE 14**  
**SUBMISSIONS ON**  
**ENFORCEMENT MATTERS**  
**(Process status as of 23 January 2019)**

SEM IDENTIFICATION AND NAME OF SUBMITTER(S)	MATTER ADDRESSED IN THE SUBMISSION	DATE FILED	PARTY	PROCESS STATUS
SEM-04-006 (Ontario Logging II) <i>Canadian Nature Federation et al.</i>	The Submitters allege that Canada is failing to effectively enforce Section 6(a) of the Migratory Bird Regulations (MBR) adopted under the Migratory Birds Convention Act, 1994, in regard to logging in four forest management units (FMUs) in Ontario. In February 2002, these same Submitters filed the Ontario Logging submission (SEM-02-001), which made the same assertions as are contained in the new submission with respect to the same four FMUs, as well as many others.	12 October 2004	Canada	Factual record released on 5 February 2007. The process was therefore terminated.
SEM-04-007 (Quebec Automobiles) <i>Quebec Association Against Air Pollution (Association québécoise de lutte contre la pollution atmosphérique)</i>	The Submitter asserts that Canada, and more specifically the province of Quebec, is failing to effectively enforce articles 96.1 and 96.2 of Quebec's "Regulation respecting the Quality of the Atmosphere" (Règlement sur la qualité de l'atmosphère—RQA) and articles 19.1, 20 and 51 of the Quebec Environment Quality Act (Loi sur la qualité de l'environnement—LQE) in connection with emissions of hydrocarbons, carbon monoxide and nitrogen oxides from post-1985 light vehicle models.	3 November 2004	Canada	Factual record released on 6 December 2012. The process was therefore terminated.
SEM-05-001 (Crushed Gravel in Puerto Peñasco) <i>Inmobiliaria J and B Empresas, S.A. de C.V.</i>	The Submitter asserts that Mexico is failing to effectively enforce provisions of Mexico's environmental laws regarding environmental impact and land use in connection with the alleged extraction of crushed gravel from its property in Puerto Peñasco, Sonora, by the company Diamond Golf Internacional.	12 January 2005	Mexico	Process terminated under Article 15(1) on 24 October 2005.

**ARTICLE 14**  
**SUBMISSIONS ON**  
**ENFORCEMENT MATTERS**  
**(Process status as of 23 January 2019)**

SEM IDENTIFICATION AND NAME OF SUBMITTER(S)	MATTER ADDRESSED IN THE SUBMISSION	DATE FILED	PARTY	PROCESS STATUS
SEM-05-002 (Coronado Islands) <i>The Center for Biological Diversity, et al.</i>	The Submitters assert that Mexico is failing to effectively enforce the provisions of its environmental legislation by permitting the construction of a liquid natural gas re-gasification terminal, immediately adjacent to the Coronado Islands—situated near the coast of the state of Baja California—and a breeding colony of the endangered seabird Xantus's Murrelet ( <i>Synthliboramphus hypoleucus</i> ) and other species considered at risk.	3 May 2005	Mexico	Process terminated by Submitters' withdrawal under Article 15(1) on 26 March 2007.
SEM-05-003 (Environmental Pollution in Hermosillo II) <i>Academia Sonorense de Derechos Humanos, A.C. and Mr. Domingo Gutiérrez Mendivil</i>	The Submitters assert that Mexico is failing to take actions to prevent air pollution in areas under state and municipal jurisdiction, to establish and keep up-to-date a national air quality information system, and to devise state and municipal urban development plans indicating the zones in which polluting industrial facilities may be sited.	30 August 2005	Mexico	Factual record released on 11 March 2014. The process was therefore terminated.
SEM-06-001 (Ex Hacienda El Hospital) <i>Mr. Carlos Álvarez Flores</i>	The Submitter asserts that Mexico is failing to effectively enforce certain provisions of its environmental laws with respect to a site contaminated with lead, chromium, cadmium, nickel and molybdenum, which allegedly has harmed the health of residents of the community of Ex Hacienda El Hospital. The Submitter asserts that the site cleanup actions previously undertaken do not ensure that the soil and shallow aquifer are free of heavy metals contamination. The Submitter further asserts that the draft restoration plans and proposals submitted to the authorities fail to note the existence of drainage lines from the facilities previously leased by the allegedly responsible company, BASF Mexicana, S.A. de C.V., asserting that this constitutes an environmental crime.	26 January 2006	Mexico	Process terminated by Submitters' withdrawal on 8 June 2006.

**ARTICLE 14**  
**SUBMISSIONS ON**  
**ENFORCEMENT MATTERS**  
**(Process status as of 23 January 2019)**

SEM IDENTIFICATION AND NAME OF SUBMITTER(S)	MATTER ADDRESSED IN THE SUBMISSION	DATE FILED	PARTY	PROCESS STATUS
SEM-06-002 (Devils Lake) <i>Friends of the Earth, et al.</i>	The Submitters assert that Canada and the United States are failing to effectively enforce anti-pollution provisions in the 1909 International Boundary Waters Treaty (Treaty) with respect to the construction and operation by the state of North Dakota of an outlet to drain water from Devils Lake into the Sheyenne River, the Red River Basin, Lake Winnipeg, and ultimately into the broader Hudson Bay drainage system.	30 March 2006	Canada and the United States	Process terminated under Article 14(1) on 21 August 2006.
SEM-06-003 (Ex Hacienda El Hospital II) <i>Myredd Alexandra Mariscal Villasenor, et al.</i>	The Submitters assert that Mexico is failing to effectively enforce its environmental law with respect to alleged illegal acts occurring during the operation, closing and dismantling of a facility for pigments for paint production operated by BASF Mexicana, S.A. de C.V. (“BASF”) from 1973 to 1997. A prior submission with similar claims (SEM-06-001—Ex Hacienda El Hospital) filed by another submitter was withdrawn on 8 June 2006.	17 July 2006	Mexico	Factual record released on 16 May 2014. The process was therefore terminated.
SEM-06-004 (Ex Hacienda El Hospital III) <i>Mr. Roberto Abe Almada</i>	The Submitter asserts that Mexico is failing to effectively enforce its environmental law with respect to the operation, closure and dismantling of a paint pigment manufacturing plant operated by BASF Mexicana, S.A. de C.V. (BASF) in Cuautla, in the state of Morelos. In submission SEM-06-004 (Ex Hacienda El Hospital III), the Submitter reiterates assertions contained in submission SEM-06-003 (Ex Hacienda El Hospital II), to which the Secretariat requested a response from Mexico on 30 August 2006.	22 September 2006	Mexico	Factual record released on 16 May 2014. The process was therefore terminated.

**ARTICLE 14**  
**SUBMISSIONS ON**  
**ENFORCEMENT MATTERS**  
**(Process status as of 23 January 2019)**

SEM IDENTIFICATION AND NAME OF SUBMITTER(S)	MATTER ADDRESSED IN THE SUBMISSION	DATE FILED	PARTY	PROCESS STATUS
SEM-06-005 (Species at Risk) <i>Sierra Club, et al.</i>	The Submitters assert that Canada is failing to effectively enforce the federal Species at Risk Act with respect to at least 197 of the 529 species identified as at risk in Canada, so as to frustrate the Act's purpose: preventing wildlife species from becoming extirpated or becoming extinct and providing for the recovery of wildlife species that are extirpated, endangered or threatened as a result of human activity.	10 October 2006	Canada	Following the Submitters' withdrawal, the process was terminated by Council Resolution 11-02 on 15 April 2011.
SEM-06-006 (Los Remedios National Park) <i>Fuerza Unida Emiliano Zapata en Pro de las Áreas Verdes A.C.</i>	The Submitter asserts that Mexico is failing to effectively enforce its environmental law with respect to the protected natural area known as "Los Remedios" National Park in Naucalpan, State of Mexico.	9 November 2006	Mexico	Process terminated under Article 15(1) on 20 March 2008.
SEM-07-001 (Minera San Xavier) <i>Pro San Luis Ecologico, A.C.</i>	The Submitter asserts that Mexico is failing to effectively enforce its environmental laws with respect to the authorization of an open-pit mining project in the town of Cerro de San Pedro, San Luis Potosí.	5 February 2007	Mexico	Process terminated under Article 15(1) on 15 July 2009.
SEM-07-002 (Mount Orford Park) <i>SOS Parc Orford, et al.</i>	The Submitters assert that Canada, and more specifically the province of Quebec, failed to effectively enforce Articles 1, 4 and 5 of its Parks Act ( <i>Loi sur les parcs</i> ) as well as its Sustainable Development Act ( <i>Loi sur le développement durable</i> ) by adopting legislation in June 2006 that removed a ski resort and golf course from Mt. Orford National Park, with the intention of offering them for sale.	22 February 2007	Canada	Process terminated under Article 14(1) on 12 March 2007.

**ARTICLE 14  
SUBMISSIONS ON  
ENFORCEMENT MATTERS  
(Process status as of 23 January 2019)**

SEM IDENTIFICATION AND NAME OF SUBMITTER(S)	MATTER ADDRESSED IN THE SUBMISSION	DATE FILED	PARTY	PROCESS STATUS
SEM-07-003 (Seal Hunting) <i>Centro Mexicano de Derecho Ambiental A. C., et al.</i>	The Submitters assert that the Canadian government is failing to effectively enforce its environmental laws with respect to the harp seal hunt that takes place in the Gulf of St. Lawrence and along the Newfoundland and Labrador coast in Canada every year in the spring.	26 June 2007	Canada	Process terminated under Article 14(1) on 6 September 2007.
SEM-07-004 (St. Clair River) <i>Oday Salim, et al.</i>	The Submitters allege that Canada is failing to effectively enforce its environmental law by not preventing chemical and sewage spills to the St. Clair River in Sarnia, Ontario, and failing to notify downstream areas in the St. Clair-Detroit River corridor about spill incidents.	25 July 2007	Canada	Process terminated under Article 14(1) on 1 August 2007.
SEM-07-005 (Drilling Waste in Cunduacán) <i>Asociacion Ecologica Santo Tomas, et al.</i>	The Submitters assert that Mexico is failing to effectively enforce its environmental laws with respect to a sludge treatment and disposal project being carried out by Consorcio de Arquitectura y Ecología (Caresa) in the municipality of Cunduacán, Tabasco.	26 July 2007	Mexico	Process terminated under Article 14(3)(a) on 8 April 2009.
SEM-08-001 (La Ciudadela Project) <i>Instituto de Derecho Ambiental, et al.</i>	The Submitters assert that Mexico is failing to effectively enforce its environmental law in connection with a contaminated site located in Zapopan, Jalisco, on which construction of the La Ciudadela development is planned.	22 February 2008	Mexico	Process terminated under Article 15(1) on 12 August 2010.
SEM-08-002 (Air pollution in suburban Montreal) <i>Yvon Otis</i>	The Submitter alleges that the government of Quebec, and more precisely, the <i>Communauté Métropolitaine de Montréal</i> is failing to effectively enforce its environmental law with regard to gasoline vapour emissions from service stations in suburban Montreal.	29 August 2008	Canada	Process terminated under Article 14(1) on 26 September 2008.

**ARTICLE 14  
SUBMISSIONS ON  
ENFORCEMENT MATTERS  
(Process status as of 23 January 2019)**

SEM IDENTIFICATION AND NAME OF SUBMITTER(S)	MATTER ADDRESSED IN THE SUBMISSION	DATE FILED	PARTY	PROCESS STATUS
SEM-08-003 (Jetty construction in Cancun) <i>Carlos Alvarez Flores</i>	The submission asserts that the Attorney General’s branch office for Environmental Protection (Procuraduría Federal de Protección al Ambiente, “Profepa”) in Quintana Roo is failing to investigate and prosecute the actions of a local hotel involving the construction of a jetty on the Cancun coast where the hotel is located, in violation of Mexico’s environmental impact assessment laws.	17 November 2008	Mexico	Process terminated under Article 14(1) on 8 December 2008.
SEM-09-001 (Transgenic Maize in Chihuahua) <i>Greenpeace Mexico, A.C., et al.</i>	The Submission asserts that the Government of Mexico is failing to effectively enforce its environmental laws with regard to control, inspection, and investigation of gene flow allegedly originating from transgenic maize in Chihuahua, Mexico.	28 January 2009	Mexico	Process terminated under Article 15(1) on 20 December 2010.
SEM-09-002 (Wetlands in Manzanillo) <i>Bios Iguana, A.C., et al.</i>	The Submitters assert that the Government of Mexico is failing to effectively enforce its environmental laws with regard to the protection of the Laguna de Cuyutlán, Manzanillo, which—according to the submitters—represents 90 percent of wetlands in the state of Colima, Mexico and is the fourth largest wetland in the country.	4 February 2009	Mexico	Factual record released on 6 September 2016. The process was therefore terminated.
SEM-09-003 (Los Remedios National Park II) <i>Asociación Fuerza Unida Emiliano Zapata en Pro de las Áreas Verdes, A.C.</i>	The Submitter asserts that Mexico is failing to effectively enforce its environmental laws with respect to the conservation and protection of Los Remedios National Park, in Naucalpan, State of Mexico.	16 July 2009	Mexico	Process terminated under Article 15(1) on 27 July 2011.

**ARTICLE 14**  
**SUBMISSIONS ON**  
**ENFORCEMENT MATTERS**  
**(Process status as of 23 January 2019)**

SEM IDENTIFICATION AND NAME OF SUBMITTER(S)	MATTER ADDRESSED IN THE SUBMISSION	DATE FILED	PARTY	PROCESS STATUS
SEM-09-004 (Quebec Mining) <i>The Quebec Environmental Law Centre (Centre québécois du droit de l'environnement—CQDE) and Nature Québec</i>	The Submitters assert that Canada, and more specifically the province of Quebec, is failing to effectively enforce: Quebec's Mining Act: the Regulation Respecting Mineral Substances other than Petroleum, Natural Gas and Brine: and, the Sustainable Development Act, all in connection with the financing and environmental management of remediation and redevelopment of mining sites in Quebec.	3 September 2009	Canada	Process terminated under Article 14(1) on 19 November 2009.
SEM-09-005 (Skeena River Fishery) <i>North Coast Steelhead Alliance</i>	The Submitter asserts that Canada is failing to effectively enforce the federal Fisheries Act, the Pacific Fishery Regulations, and, in particular, ss. 22(1) and 22(2) of the Fishery (General) Regulations in connection with the alleged violation of fishing licenses and notices in the Skeena River, British Columbia, Canada. In submission SEM-09-005 (Skeena River Fishery), the Submitter asserts that Canada is allowing commercial salmon fishers to "ignore license conditions aimed at protecting and conserving certain kinds of fish."	15 October 2009	Canada	Process terminated under Article 15(1) on 12 August 2011.
SEM-10-001 (Sumidero Canyon) <i>Comité Pro-Mejoras de la Ribera Cahuaré</i>	The Submitter asserts that since 1963 a limestone open-pit mine has been operating adjacent to the National Park of Sumidero Canyon (the "Canyon"). The Submitter further asserts that in recent years the east face of the Canyon has been "severely damaged with cracks," allegedly due to the quarry operations.	25 February 2010	Mexico	Process terminated under Article 14(1) on 14 June 2010.
SEM-10-002 (Alberta Tailings Ponds) <i>Environmental Defence Canada, et al.</i>	The submission alleges that tailings ponds resulting from the extraction of bitumen from mined oil sands deposits in northern Alberta, "contain a large variety of substances that are deleterious to fish," and that "these substances migrate to groundwater and the surrounding soil and surface waters."	13 April 2010	Canada	The process was terminated under Article 15(2) on 27 January 2015.

**ARTICLE 14**  
**SUBMISSIONS ON**  
**ENFORCEMENT MATTERS**  
**(Process status as of 23 January 2019)**

SEM IDENTIFICATION AND NAME OF SUBMITTER(S)	MATTER ADDRESSED IN THE SUBMISSION	DATE FILED	PARTY	PROCESS STATUS
SEM-10-003 (Iona Wastewater Treatment) <i>Fraser Riverkeeper Society, et al.</i>	The Submitters assert that Canada is failing to effectively enforce the pollution prevention provision of the federal Fisheries Act to address contaminants being discharged from the Iona Island (British Columbia) Wastewater Treatment Plant, which have a deleterious effect on fish and fish habitat.	7 May 2010	Canada	Process terminated under Article 15(1) on 6 December 2013.
SEM-10-004 (Bicentennial Bridge) <i>Alberto Malagamba Moguel</i>	The Submitter asserts that Mexico is failing to effectively enforce its environmental laws with respect to the authorization and construction of the Bicentennial Bridge ( <i>Puente Bicentenario</i> ) project in the municipality of Centro, Tabasco (the "Project"). The Submitter asserts that the construction of the Project neither took into consideration nor respected the <i>Laguna de las Ilusiones</i> ecological reserve, designated as a protected nature area.	20 December 2010	Mexico	Process terminated under Article 14(2) on 13 June 2011.
SEM-11-001 (PCB Treatment in Grandes-Piles, Quebec) <i>Bennett Environmental Inc.</i>	The Submitter asserts that Canada, and more specifically the province of Québec, is failing to effectively enforce Québec's Environment Quality Act ("Act" or "EQA") and the Regulation Respecting the Burial of Contaminated Soils ("Regulations") by issuing a permit for the use of chemical oxidation to treat PCB-contaminated soils without evidence that the process works.	11 January 2011	Canada	Process terminated under Article 14(1) on 12 April 2012.
SEM-11-002 (Sumidero Canyon II) <i>Comité Pro-Mejoras de la Ribera Cahuaré</i>	The Submitter asserts that Mexico is failing to effectively enforce its environmental laws with respect to the operations of a limestone quarry, which is allegedly causing damage to the Sumidero Canyon in Chiapas, Mexico.	29 November 2011	Mexico	Factual record released on 18 December 2015. The process was therefore terminated.

**ARTICLE 14**  
**SUBMISSIONS ON**  
**ENFORCEMENT MATTERS**  
**(Process status as of 23 January 2019)**

SEM IDENTIFICATION AND NAME OF SUBMITTER(S)	MATTER ADDRESSED IN THE SUBMISSION	DATE FILED	PARTY	PROCESS STATUS
SEM-11-003 ( <i>Protection of Polar Bears</i> ) <i>Center for Biological Diversity</i>	The Submitter asserts that Canada is failing to effectively enforce Canada’s Species at Risk Act (the “Act” or “SARA”) by failing to list the polar bear in a timely manner as a threatened or endangered species, “thus denying the bear any substantive legal protections under SARA.”	5 December 2011	Canada	The process was terminated under Article 15(2) on 5 June 2014.
SEM-12-001 ( <i>BC Salmon Farms</i> ) <i>Center for Biological Diversity, et al.</i>	The Submitters assert generally, that as a result of alleged failures to enforce sections 35 and 36 of the Fisheries Act, Canada is “exposing wild salmon to amplified levels of parasites such as sea lice, viral and bacterial diseases, toxic chemicals and concentrated waste.”	10 February 2012	Canada	The process was terminated under Article 15(2) on 9 December 2014.
SEM-12-002 ( <i>St. Lawrence River Wind Farms</i> ) <i>Gérard Michaud, Gaston Hervieux</i>	The Submitters assert that Canada and Quebec are failing to effectively enforce various environmental laws concerning migratory birds, endangered species, and local municipalities. The Submitters object to the establishment of wind farms in migratory bird corridors, particularly in the area of L’Isle Verte in the St. Lawrence River in Quebec. They allege that allowing wind farms to be located in such areas is contrary to legislative objectives, including preventing the disappearance of species and protecting migratory birds.	14 December 2012	Canada	Process terminated under Article 14(1) on 8 July 2013.
SEM-13-001 ( <i>Tourism Development in the Gulf of California</i> ) <i>Interamerican Association for Environmental Defense, et al.</i>	According to the submission, "the Mexican government is authorizing various construction projects and tourist real estate operations in ecologically sensitive areas." The Submitters assert that the development of four large tourist resorts in the Gulf of California are causing significant impact to the Bay of La Paz, the El Mogote nesting area, the Cabo Pulmo coral reef and the Marismas Nacionales wetland, and that proper environmental impact assessment and permitting procedures were not followed, among other alleged environmental law enforcement failures.	11 April 2013	Mexico	The process was terminated under Article 15(2) on 19 May 2015.

**ARTICLE 14**  
**SUBMISSIONS ON**  
**ENFORCEMENT MATTERS**  
**(Process status as of 23 January 2019)**

SEM IDENTIFICATION AND NAME OF SUBMITTER(S)	MATTER ADDRESSED IN THE SUBMISSION	DATE FILED	PARTY	PROCESS STATUS
SEM-13-002 <i>(Louisiana Refinery Releases)</i> Louisiana Bucket Brigade	The Submitter asserts that the US Environmental Protection Agency (EPA) has failed to use the Clean Air Act (CAA) to address "environmental hazards discovered in the agency's July 2012 Risk Management Plan (RMP) inspection of the ExxonMobil Refinery in Baton Rouge, Louisiana ." The Submitter states that the RMP for the refinery does not comply with US environmental law and, in particular, CAA(r) 40 CFR Part 68, Accidental Release Prevention. The Submitter notes that the refinery's upset reports show "36 accidents totaling 926,286 pounds [420,156 kg] of pollution from units that are covered by the RMP," despite the facility's RMP stating that there are no covered accidents to report. The Submitter considers that the releases from the refinery pose a risk to the surrounding community.	3 July 2013	United States	Process terminated under Article 14(1) on 5 November 2013.
SEM-13-003 <i>(Refinery Releases in Shreveport, Louisiana)</i> Residents for Air Neutralization	The Submitter asserts that the US Environmental Protection Agency has failed to enforce the 1990 Clean Air Act and its amendments. In particular, the Submitter asserts that the US failed to enforce 42 USC § 7401 (c), by not issuing "an Administrative Order mandating that corrective actions [be] taken by Calumet Lubricants, LLC" following an inspection of the facility that revealed violations. The Submitter further asserts that the US "has failed to produce any kind of results in pursuance to the environmental laws and regulations that were violated."	9 July 2013	United States	Process terminated under Article 14(1) on 14 November 2013.

**ARTICLE 14**  
**SUBMISSIONS ON**  
**ENFORCEMENT MATTERS**  
**(Process status as of 23 January 2019)**

SEM IDENTIFICATION AND NAME OF SUBMITTER(S)	MATTER ADDRESSED IN THE SUBMISSION	DATE FILED	PARTY	PROCESS STATUS
SEM-15-001 ( <i>La Primavera Forest</i> )*	The submission was filed by two individuals in Mexico, asserting that the Santa Anita Hills housing development project is causing the destruction of a netleaf oak forest, and questioning the legality of the change in land use from forest to urban area and the construction of houses in the buffer zone of La Primavera Forest.	20 July 2015	Mexico	The process was terminated under Article 15(2) on 4 April 2017.
SEM-15-002 ( <i>Management of Analog TV Waste</i> ) Vías Verdes, A.C., et al.*	The Submission was filed by several individuals and NGOs in Mexico, asserting that while millions of TV sets are being discarded as a result of the so-called "analog blackout" (the conversion from analog to digital TV broadcasting), a management plan required by Mexican law is not being implemented.	24 August 2015	Mexico	Process terminated under Article 15(1) on 2 December 2016.
SEM-15-003 ( <i>Municipal Wastewater Drop Shafts</i> ) Robert Schreiber	The Submitter asserts that the United States is failing to effectively enforce the Safe Drinking Water Act (SDWA) regarding sewer drop shafts used to convey municipal wastewater.	3 November 2015	United States	Process terminated under Article 15(1) on 15 June 2016.
SEM-16-001 ( <i>Agricultural Waste Burning in Sonora</i> )*	The Submitter asserts that Mexico is failing to effectively enforce its climate change and air quality laws in relation to the burning of agricultural waste. The Submitter, an asserts that every year an estimated 100 metric tons of agricultural waste is being burned on nearly 13,000 hectares of agricultural land in the vicinity of Caborca, Sonora. The Submitter maintains that this activity generates pollution following the harvesting of asparagus and that the matter has been communicated to Mexico's Ministry of the	22 January 2016	Mexico	Factual record released on 17 September 2018. The process was therefore terminated.

\* Identity of Submitters withheld pursuant to Article 11(8)(a)

\* Identity of some Submitters withheld pursuant to Article 11(8)(a)

\* Identity of Submitter withheld pursuant to Article 11(8)(a)

**ARTICLE 14**  
**SUBMISSIONS ON**  
**ENFORCEMENT MATTERS**  
**(Process status as of 23 January 2019)**

SEM IDENTIFICATION AND NAME OF SUBMITTER(S)	MATTER ADDRESSED IN THE SUBMISSION	DATE FILED	PARTY	PROCESS STATUS
	Environment and Natural Resources and the Federal Attorney for Environmental Protection.			
SEM-16-002 ( <i>Monterrey VI Aqueduct</i> )  Movimiento Ambientalista del Noreste	The Submitter asserts that Mexico is failing to effectively enforce its environmental laws with respect to the Monterrey VI Aqueduct project. The Submitter asserts that the transfer of water by pipeline from the Panuco River in the Mexican state of Veracruz to the City of Monterrey, Nuevo León, will have adverse environmental impacts in Nuevo León, Veracruz, and two other states between these two locations, Tamulipas and San Luis Potosí.	11 July 2016	Mexico	The process was terminated under Article 15(1) on 14 July 2017.
SEM-17-001 ( <i>Alberta Tailings Ponds II</i> )  Environmental Defence Canada, et al	The Submitters assert that “the Government of Canada is failing to effectively enforce subsection 36(3) of the Canadian Fisheries Act with respect to the leaking of deleterious substances from oil sands tailings ponds into surface waters and the groundwater of Northeast Alberta.”	26 June 2017	Canada	The Secretariat is currently developing a factual record in accordance with Council Resolution #18-01 of 20 August 2018.
SEM-18-001 ( <i>Transboundary Agricultural Burning</i> ) *	The Submitter, a resident of the Tohono O’odham Indian Nation in the United States along the US (Arizona)/Mexican border, asserts that her village is being impacted by “unannounced episodes of smoke drift from Mexico (agricultural burns).” According to documents filed by the Submitter, agricultural burning episodes have been occurring since June 2016 and that these are the result of a failure to effectively enforce Mexican environmental laws.	10 January 2018	Mexico	Process terminated under Article 15(1) on 22 June 2018.

\* Identity of Submitter withheld pursuant to Article 11(8)(a)

**ARTICLE 14  
SUBMISSIONS ON  
ENFORCEMENT MATTERS  
(Process status as of 23 January 2019)**

SEM IDENTIFICATION AND NAME OF SUBMITTER(S)	MATTER ADDRESSED IN THE SUBMISSION	DATE FILED	PARTY	PROCESS STATUS
SEM-18-002 ( <i>Metrobús Reforma</i> ) Academia Mexicana de Derecho Ambiental, et al	The Submitters assert that Mexican federal authorities, the government of Mexico City (CDMX), and three of its boroughs are failing to effectively enforce environmental laws with respect to the construction of Line 7 of the bus rapid transit system (“Metrobús”). The Submitters maintain that the granting of permits for the construction of Metrobús Line 7 has been “illegal and opaque” because the project sponsor, the CDMX Government, is supposed to respect environmental law “by ensuring adequate planning, communication, participation, and compliance—which unfortunately has not happened.”	2 February 2018	Mexico	The Secretariat is reviewing this submission to determine whether it warrants development of a factual record according to Article 15(1).
SEM-18-003 ( <i>Hydraulic Fracturing in Nuevo Leon</i> ) *	The Submitter asserts that Mexico is failing to effectively enforce its environmental law applicable to hydraulic fracturing in the municipality of Los Ramones in the State of Nuevo Leon, Mexico.	3 October 2018	Mexico	The Secretariat is reviewing this submission to determine whether it meets the criteria of Article 14(1), and if so, whether it merits requesting a response from Mexico under Article 14(2).

For further information (summaries of the submissions and responses, list of communications with the Submitter, documents available in electronic format, etc.) “click” on the submission identification number in the Registry of Citizen Submissions in the CEC home page at <<http://www.cec.org>>.

\* Identity of Submitter withheld pursuant to Article 11(8)(a)