TOBACCO CONTROL REPORT CARD HOW DOES BC COMPARE TO THE REST OF CANADA?

MAY 2012





EXECUTIVE **SUMMARY**

Tobacco use remains the #1 preventable cause of death and the negative health impacts due to second-hand smoke exposure are irrefutable.

Measures to reduce smoking, and minimize exposure to second-hand smoke, are vital to public health.

On the issue of tobacco control, the BC government has exhibited remarkable leadership – most recently through subsidization of proven quit medications.

Overall however, we – the BC Lung Association and the Heart and Stroke Foundation (B.C. & Yukon) – believe the public is ready and the Province is capable of achieving more.

Thirty years of anti-tobacco advocacy combined with effective tobacco control has shifted public thinking.

Today less than fifteen percent of British Columbians smoke, social norms have changed and British Columbians feel it is a right to breathe clean air.

With our encouragement, paired with clear evidence of majority public support, our aim is to ignite decisive action on every available tobacco use deterrent.

To help the government focus in on areas we believe to be of greatest importance, we have chosen to assess BC's progress on tobacco control in seven key areas and to issue a report card.

The report card provides a summary of progress made, identifies best practices, and compares our achievements with those of other Canadian jurisdictions.

Thirty years of anti-tobacco advocacy combined with effective tobacco control has shifted public thinking.

Overall, we've awarded the Province a C+, but we believe grade A is in sight.

Like any effective measurement tool, the report card acknowledges success and frames areas in need of attention.

Our objective? The Province's commitment to a more aggressive tobacco control strategy worthy of the Premier's Healthy Families agenda.

Cigarette smoking cost the BC economy a reported \$2.4 billion annually including health, productivity, and other expenses.



And while BC has the lowest tobacco use rate in the country at 14.3 percent, its 550,000 tobacco users constitute the fourth largest population of tobacco users nation-wide.

British Columbians are ready for greater government action. A March 2012 survey conducted by the Mustel Group confirms clear public support exists for province-wide tobacco control laws and policies that:

- 1 Ban smoking in outdoor public places including customer service patios in restaurants and bars; within 7.5 metres of customer service patios and entrances to public buildings; and at public events, such as parades, and outdoor seating areas of sportingand entertainment venues
- **2** Ban tobacco sales in pharmacies and stores that contain a pharmacy
- 3 Increase availability of smoke-free housing options in multi-unit dwellings; and provide effective tools for landlords to enforce smokefree regulations

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INTRODUCTION

In order to provide an assessment of Province of British Columbia's tobacco control efforts, the Heart and Stroke Foundation (B.C. & Yukon) and the BC Lung Association have created a report card.

The report card grades the government's performance on tobacco control in seven key areas.

Grades are determined by comparing BC progress to best practices in tobacco control as well as to progress made in other Canadian jurisdictions.

The tobacco control areas addressed are:

- Tobacco use rates
- Tobacco tax rates
- The sale of tobacco in pharmacies
- Smoking bans in outdoor public places
- Smoking in a motor vehicle when a minor is present
- Subsidized nicotine replacement therapies (NRT) and cessation medications
- Smoke-free multi-unit dwellings

For each tobacco control area assessed, the following information is provided:

- 1 A summary the Province's work on key tobacco control issues
- **2** The gold standard (where applicable) for each issue addressed
- **3** A comparison on BC's progress relative to other provinces and territories in Canada



BC TOBACCO CONTROL REPORT CARD 2012

Торіс	Grade	Comments
Tobacco Use Rates	A-	Keep up the good work! Just remember that while BC has the lowest per capita rate, more than 550,000 British Columbians continue to smoke.
Tobacco Tax Rates	С	Can do better. Increasing tobacco taxes results in even more people quitting. It works. That said BC's tax rate compared with other provinces is average.
Sale of Tobacco in Pharmacies	F	A failing grade! If Bill 17 passes in Manitoba, BC will have the infamous distinction of being the last province to permit the selling of tobacco products in pharmacies. We suggest corrective action as soon as possible.
Smoking in Outdoor Public Places	C+	Some good progress. More work is required. BC is rapidly turning into a patchwork of varying municipal regulations and bylaws. These are confusing and difficult to enforce, especially where there are differing outdoor public places bylaws in neighbouring municipalities. Provincial leadership is recommended to create consistency and continuity.
Smoking in a Motor Vehicle When a Minor is Present	В	Good effort, but improvement required. Youth are protected from second-hand tobacco smoke in motor vehicles to age 16. We believe this is inad-equate and should be changed to age 19, the age of majority in BC.
Subsidized NRT and Cessation Pharmacotherapies	Α	Excellent work! BC is a true leader in this important area. We look forward to seeing a rigorous evaluation of this program to assess results and contribute to world class best practices! Kudos.
Smoke-Free Multi-Unit Dwellings	C-	Focused improvements required. There is an incredible shortage of smoke-free housing options in BC. People who have health issues related to exposure to tobacco smoke are extremely vulnerable, especially in public housing. Government leadership is required to improve this situation.
OVERALL GRADE	C+	While BC has recently made notable progress and is excelling in a number of areas, poor performance in other areas is bringing its overall grade down. With focused effort in key policy areas, and the ban of tobacco product sales in pharmacies, BC could be on the Honour Roll by this time next year! For comparisons between BC and other provinces and territories in Canada, please refer to Appendix A.

CONCLUSIONS

The Province has demonstrated impressive tobacco control leadership in a number of areas, but continues to drag its feet in others.

By shying away from full-scale commitment, BC receives average marks for its overall efforts to reduce tobacco use.

We urge the Province to replace its fragmented approach to tobacco control with a full-scale commitment; a commitment to a more aggressive and fully funded tobacco control strategy worthy of the Premier's Healthy Families agenda.

As part of this strategy, we suggest all proven measures to reduce tobacco use be implemented without delay including:

- The ban of tobacco sales in pharmacies, and stores which contain pharmacies
- A province-wide ban on tobacco use in outdoor public places (restaurant/bar customer service patios, public parks and beaches, parades and outdoor sporting and entertainment venues)
- Regulation and policies to increase smoke-free housing options and provide landlord with effective enforcement tools

The public supports decisive action on tobacco use.

The Province has an opportunity to become a national and global champion and to arrest the #1 preventable cause of death.

We cheer on the Province's aspirations to create the healthiest province in Canada, and wish to facilitate their success.

Heart & Stroke Foundation and BC Lung Association

HOW DOES BC TOBACCO CONTROL COMPARE?

- The gold standard (where applicable) for each tobacco control issue graded
- A summary of BC's progress on the issue
- How BC's progress compares to other Canadian provinces & territories

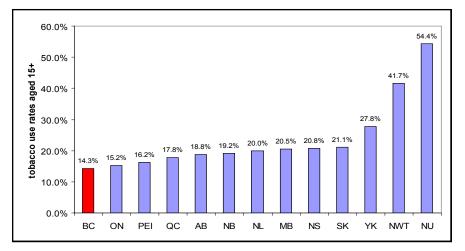


TOBACCO USE RATES: GRADE A-

How does BC compare?

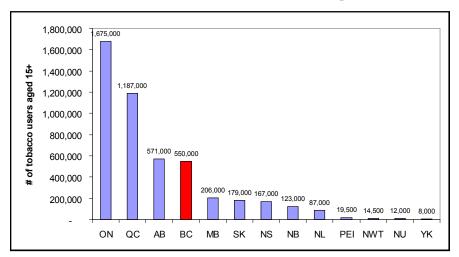
BC may have the lowest smoking rate in the country, but 550,000 people aged 15+ still use tobacco in BC, the fourth highest population of tobacco users in Canada.

Tobacco use rates are the result of many factors. Amongst these factors are no-smoking policies and regulations by all levels of authority.



Tobacco Use Rates, 2010¹

Total Number of Tobacco Users Aged 15+, 2010



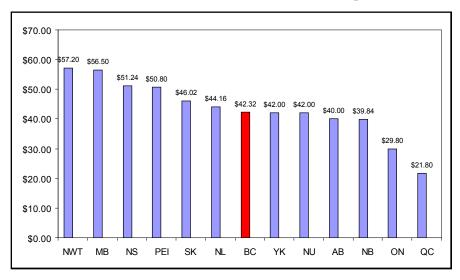
¹ Canadian Tobacco Use Monitoring Survey (CTUMS) 2010 for provincial rates. In the absence of such rates for the territories, the territorial rates are obtained from Canadian Community Health Survey 2010, which are generally 2 to 3 percentage points higher than CTUMS.

TOBACCO TAXES: GRADE C

How does BC compare?

Tobacco taxes work. They are proven to reduce smoking rates, especially among young people who are more price sensitive.

Note: The rates listed below are effective May 1, 2012, but do not include taxes on other tobacco products, such as loose leaf tobacco, which have different rates applied.



Tobacco Taxes Per Carton of 200 Cigarettes²

 2 The rates listed include both direct tobacco tax rates and other provincial taxes placed on tobacco where applicable. The combination of such rates takes place in the following jurisdictions: the rate in MB is comprised of \$50.00 in tobacco taxes and \$6.50 in other provincial taxes; the rate in NS is comprised of \$43.04 in tobacco taxes and \$8.20 in other provincial taxes; the rate in SK is comprised of \$42.00 in tobacco taxes and \$4.02 in other provincial taxes; the rate in NL is comprised of \$38.00 in tobacco taxes and \$6.16 in other provincial taxes; the rate in BC is comprised of \$37.00 in tobacco taxes and \$5.32 in other provincial taxes; the rate in NB is comprised of \$34.00 in tobacco taxes and \$5.34 in other provincial taxes; the rate in ON is comprised of \$24.70 in tobacco taxes and \$5.10 in other provincial taxes.

TOBACCO SALES IN PHARMACIES: GRADE F

Selling tobacco products in pharmacies and stores containing pharmacies is contrary to the view that pharmacies are businesses designed to support and promote health.

The Gold Standard in tobacco control

Implementation of provincial/territorial legislation to ban the sale of tobacco products from pharmacies and stores that contain pharmacies.

Summary of BC's progress

No legislation exists. Individual pharmacies can implement their own policies regarding the sale of tobacco products.

Note: Tobacco cannot be dealt, sold, offered for sale or distributed on land, a building or structure used primarily for the purposes of a hospital or other health care services.

	Description	
AB	No sales allowed in pharmacies (covered under Tobacco Reduction Act).	
NB	No sales allowed in pharmacies (covered under Tobacco Sales Act).	
NL	NL No sales allowed in pharmacies (covered under Tobacco Control Act).	
NS	NS No sales allowed in pharmacies (covered under Tobacco Access Act).	
NU	No sales allowed in pharmacies (covered under Tobacco Control Act).	
ON	No sales allowed in pharmacies (covered under Smoke Free Ontario Act).	
NWT	No sales allowed in pharmacies (covered under Tobacco Control Act).	
PEI	No sales allowed in pharmacies (covered under Tobacco Sales and Access Act).	
QC	No sales allowed in pharmacies (covered under Tobacco Act).	
SK	No sales allowed in pharmacies (covered under Tobacco Control Act).	
MB	Bill 17 would ban tobacco sales in pharmacies. First reading passed in MB legislature – May 1/12	
BC	No legislation	
YK	No legislation	

SMOKING IN OUTDOOR PUBLIC PLACES: GRADE C+



To protect the public from unwanted second-hand smoke and its adverse health risks, it is imperative to ban smoking in places where the smoke can make its way into an adjacent enclosed structure, where people congregate (such as customer service patios), and where children have access (such as parks and playgrounds).

The Gold Standard in tobacco control

Implementation of legislation that would ban smoking:

- On customer service patios
- In parks, playgrounds and on beaches
- On the grounds of all health care facilities
- On K-12 school grounds, and day care grounds
- In all transit and vehicle for hire shelters regardless of configuration, and at all transit and vehicle for hire stops
- At public events where people congregate in close proximity, such as parades, sporting and entertainment events
- At least within 7.5 metres of all the above and from public buildings

The US Surgeon General confirms there is no safe level of exposure to second-hand tobacco smoke, including in outdoor places. James Repace, a leading researcher on smoke in outdoor settings, has concluded that the fine particulate matter in second-hand tobacco smoke does not generally dissipate until 7.5 metres from the source in outdoor settings.

Summary of BC's progress

The existing provincial legislation bans smoking in only a handful of outdoor public places. These include:

- 3 metres from doors, windows and air intakes of public buildings
- In enclosed and semi-enclosed transit shelters
- On K-12 school grounds

SMOKING IN OUTDOOR PUBLIC PLACES: CONTINUED

How does BC compare?

Thirty-one municipalities in BC have implemented their own smoke-free bylaws. Most of these bylaws are related to tobacco use on customer service patios of restaurants and bars, and/or in parks, on playgrounds and on beaches. Grouse Mountain in North Vancouver has also implemented a 100% smoke-free policy. This leaves 120 municipalities without such a bylaw.³

Prov.	Description*
PEI	The Smoke-Free Places Act bans smoking:
	O on customer service patios that serve food or drinks
	on hospital grounds
	O on public school grounds, and day care grounds
	 (other information) in all workplaces, including construction sites. It allows
	for the provision for designated smoking areas outside in certain
	circumstances.
NS	The Smoke-Free Places Act bans smoking:
	O on customer service patios that serve food or drinks
	O on public school grounds
	 within 4 metres to doors, windows and air intakes of public buildings
YK	The Smoke-Free Places Act bans smoking:
	O on customer service patios that serve food or drinks
	 within 5 metres to zone to doors, windows and air intakes of public
	buildings
NL	The Smoke-Free Environment Act bans smoking:
	O on customer service patios that serve food or drinks
	In all transit and vehicle for hire shelters
NB	The Smoke-Free Places Act bans smoking:
	O on customer service patios that serve food or drinks only if the space is 70%
	enclosed (by a combination of walls and a roof)
	In school grounds
AB	The Tobacco Reduction Act bans smoking:
	 within 5 metres to doors, windows and air intakes of public buildings and
	indoor workplaces
QC	Loi sur le tabac bans smoking:
	O on primary and secondary school properties
	In transit shelters
	 within 9 metres to educational or health buildings
	 (other information) in public tents
BC	See above.
MB	The Non-Smokers Health Protection Act bans smoking:
	in transit shelters
	 (other information) in pedestrian tunnels and enclosed pedestrian
	walkways
NU	The Tobacco Control Act bans smoking:
	 within 3 metres of entrances and exits to public buildings
	 within 15 metres to entrances and exits of schools
ON	The Smoke-Free Ontario Act bans smoking:
	O on schools grounds
SK	The Tobacco Control Act bans smoking:
	I on school grounds

³ The Capital Regional District, whose Clean Air Bylaw restricts smoking on customer service patios, is counted as one municipality, although its regulation covers every municipality within its jurisdiction.

 $^4\,{\rm Most}$ jurisdictions have municipalities that have implemented some sort of outdoor public places bylaw.

SMOKING IN A MOTOR VEHICLE WHEN A MINOR IS PRESENT: **GRADE B**



Second-hand smoke in enclosed spaces is even more hazardous since the smoke has nowhere to go and the toxic chemicals are more concentrated. Even when the windows are rolled down, the airstream will often blow the smoke back into the vehicle where children and infants are seated. Children are especially vulnerable to second-hand smoke because their respiratory systems are not yet fully developed.

The Gold Standard in Tobacco Control

Implementation of legislation that bans smoking in vehicles where a minor (anyone under the age of 19) is present.

Summary of BC's Progress

The Motor Vehicle Act bans smoking in a motor vehicle when a person under the age of 16 is present. Two municipalities – Richmond and Surrey – have implemented bylaws banning smoking in a motor vehicle when a person under the age of 19 is present.

How does BC compare?

Prov.	Description ⁵
NS	The Smoke Free Places Act bans smoking in motor vehicles when a person
	under the age of 19 is present.
PEI	The Smoke Free Places Act bans smoking in motor vehicles when a person
	under the age of 19 is present.
YK	The Smoke-Free Places Act bans smoking in a motor vehicle when a person under the age of 18 is present.
AB	Bill 203 passed in March 2012 banning smoking in a motor vehicle when a
	person under the age of 18 is present. The expected effective date is
	January 1, 2013.
BC	See above
MB	The Highway Traffic Act bans smoking in a motor vehicle when a person under the age of 16 is present.
NB	The Smoke Free Places Act bans smoking in a motor vehicle when a person
ND	under the age of 16 is present.
NL	The Smoke Free Environment Act bans smoking in a motor vehicle when a
	person under the age of 16 is present
ON	The Smoke Free Ontario Act bans smoking in a motor vehicle when a person
	under the age of 16 is present.
SK	The Tobacco Control Act bans smoking in a motor vehicle when a person
	under the age of 16 is present.
NU	No legislation.
NWT	No legislation.
QC	No legislation.

⁵ The description does not include other smoking in vehicle bans, such as smoking on public transit, smoking in work vehicles and smoking in vehicles for hire, which are in place in most Canadian jurisdictions.

SUBSIDIZED NRT AND/OR PHARMACOTHERAPIES: **GRADE A**

NRT (nicotine replacement therapies) such as nicotine gum, nicotine patches, nicotine lozenges and nicotine inhalers and prescription drugs such as Champix (varenicline) and Zyban (bupropion) are proven tobacco cessation aids known to increase quit success.

The Gold Standard in Tobacco Control

The provision of a 100% subsidized course of NRT, and coverage of approved prescription cessation pharmacotherapies (varenicline, bupropion) under the provincial drug plan for any resident who wants to quit.

Summary of BC's Progress

British Columbians have the choice of either nicotine gum or patches to help quit tobacco with a free supply for up to 12 weeks, or obtaining coverage of prescribed smoking cessation drugs through PharmaCare.

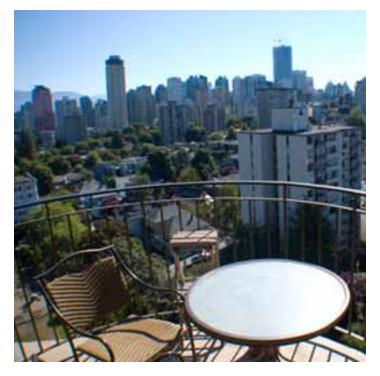
How does BC compare?

We applaud progress made, but recommend the province implement a more stringent evaluation of the program, which at this time only includes tracking the number of calls for registration into the program. Evaluation should include follow-ups to ascertain quit rates, reasons for quit success and failures.

Prov. Description

BC	See above.
NWT	NRT is available to all and smoking cessation prescription drugs are covered under NWT health care benefits.
QC	The patch, nicotine gum and lozenges, and Zyban and Champix are covered under the provincial drug plan.
ON	Through the Ontario Drug Benefit (ODB) Program more than 300,000 smokers in Ontario benefit from 12 weeks of reimbursement of Champix or Zyban. NRT is also provided free of charge to smokers through Family Health Teams, Community Health Centres, and via addiction treatment centres.
SK	Provincial formulary listing added Champix and Zyban for coverage for 12 weeks of treatment per person, during a one-year period.
MB	Champix is covered through the Manitob a Drug Formulary for 12 weeks of treatment per person, during a one-year period.
AB	Champix is listed on the Alberta Health and Wellness Drug Benefit List as a restricted benefit for certain government sponsored health plans. Zyban is also provided free to anyone on income support.
YK	Zyban is covered for seniors on Pharmacare. Aboriginal people may be covered for both NRT and Zyban. Persons on social assistance may be covered for NRT and Zyban.
NS	One course of NRT is available to the public in conjunction with Addiction Prevention and Treatment Services tobacco intervention programs. Some districts also provide subsidized Champix.
NB	No subsidization.
NL	No subsidization.
NU	No subsidization.
PEI	No subsidization.

SMOKE-FREE MULTI-UNIT DWELLINGS: GRADE C



Most jurisdictions in Canada provide people with extensive protections from second-hand smoke where they work, eat and play. However many people are still being exposed to unwanted second-hand smoke where they live, especially in multi-unit dwellings (MUDs) such as apartment buildings, condominium complexes and townhouses.

Second hand smoke can travel from unit to unit through windows, doors, cracks in door and window framing, electrical outlets, and air vents among other conduits. And contrary to popular belief, air filters, purifiers and ventilation systems cannot eliminate second-hand smoke. Furthermore, smoke from people smoking outside does not always stay outside, but finds its way back into through doors, windows and air intakes.

The Gold Standard in Tobacco Control

To ensure the availability of smoke-free MUDs more accurately reflects the proportion of the population that does not smoke and would like to live in a smoke-free environment, a province or territory should:

Have a policy that all new social housing complexes, market rental apartment buildings and condominiums be designated as smoke-free, unless it goes through a tenant- or owner-approved process to designate it as smoking. Other measures include:

- Entrenching second-hand tobacco smoke as a breach of quiet enjoyment, and entrench it as a nuisance similar to loud music and pets
- Passing regulations requiring landlords to have a written smoking policy and disclose said policy to current and future tenants and tenancy applicants

In addition, Provincially managed social housing organizations should:

- Develop a strategy for addressing complaints of second-hand smoke where smoke transfer is found to be consistent and excessive
- Assist vulnerable tobacco-addicted persons with mental illness or physical disabilities tenants regarding cessation products and service options, and recognize there is a small number of persons for whom smoking permission may be required.

SMOKE-FREE MULTI-UNIT DWELLINGS: CONTINUED

Summary of BC's Progress

There is no legislation that directly addresses smoking in multiunit dwellings. The Residential Tenancy Act and the Strata Property Act are both silent on smoking issues. As such it is legal to make both a residential rental building and a residential strata complex smoke-free.

Conversely, the silence on tobacco issues in these two Acts means people living in housing situations covered under the Acts are not provided direct protection from unwanted second-hand smoke. The Tobacco Control Act does ban smoking in common areas, such as elevators, hallways, parking garages, party rooms, laundry, exercise and lobby areas.

The common law of quiet enjoyment – the right for one to live in "peace" in their own residence – is applicable, but it is a weak law when dealing with unwanted second-hand smoke. Section 3.1 of the Strata Property Act deals with the issue of nuisance (which unwanted second hand smoke can be construed as). This may be a more effective channel for addressing unwanted second-hand smoke, depending upon the view of the strata council involved.

How does BC compare?

Beyond work done by non-government organizations, such as our Smoke-Free Housing BC initiative - www.smokefreehousingbc.ca, the first website of its kind in Canada - there is no government mechanism to promote and increase smoke-free multi-unit housing.

Prov.	Description
вс	See above.
MB	The Non-Smokers Health Protection Act bans smoking in indoor common areas of multi-unit residential buildings.
NL	The Smoke-Free Environment Act bans smoking in indoor common areas of multi-unit residential buildings.
NS	The Smoke-Free Places Act bans smoking in indoor common areas of multi-unit residential buildings.
NU	The <i>Tobacco Control Act</i> bans smoking in indoor common areas of multi-unit residential buildings.
ON	The Smoke-Free Ontario Act bans smoking in indoor common areas of condominiums and apartment buildings.
SK	The <i>Tobacco Control Act</i> bans smoking in indoor common areas of multi-unit residential buildings.
YK	The Smoke-Free Places Act bans smoking in indoor common areas of multi-unit residential buildings.
QC	Loi sur le tabac bans smoking in indoor common areas of residential buildings with six or more units.
AB	Except in cases where residences are used for work purposes, there is no legislation prohibiting smoking in residential buildings.
NB	No legislation prohibiting smoking in residential buildings.
NWT	No legislation prohibiting smoking in residential buildings.
PEI	No legislation prohibiting smoking in residential buildings.

APPENDIX B



In January 2008, we launched the Imagine! A Smoke-Free BC campaign.

The campaign established a framework and network to address, inspire, and achieve momentum towards eliminating tobacco use in BC.

At its centre was a list of principles, which, if achieved, would lead to a smoke-free BC.

Together we periodically review and revise these principles to reflect changing circumstances. Each year we prioritize which areas need attention.

Our current tobacco control priorities are to:

- 1 Prohibit tobacco sales in pharmacies.
- **2** Advocate for 100% smoke-free public places (including outdoor patios, parks &beaches.
- 3 Increase smoke-free multi-unit housing options (e.g. apartments & condominiums)
- 4 Support measures to reform the sale of tobacco products, make it more difficult especially for youth to purchase it, and ultimately denormalize its sale.
- **5** Classify movies with tobacco imagery 18A (adult), and make movies with tobacco imagery ineligible for provincial film subsidies.

Note: The exceptions are movies that depict historical figures related to the tobacco use or that show unambiguous depictions of the dire health consequences associated with tobacco use.

Remaining principles we wish to address currently include:

- 6 Increase tobacco taxes, a proven tobacco prevention and reduction strategy.
- 7 Fund tobacco control programs using monies from tobacco litigation court judgments or settlements.

TOBACCO CONTROL: OUR PRIORITIES

- 8 Increase prevention and cessation efforts to support individuals within groups where smoking rates are very high, including individuals with mental health and addictions issues and Aboriginal peoples. Note: These efforts would still respect the traditional use of tobacco products by Aboriginal people.
- **9** Encourage, through education, no smoking in homes when children are present.
- **10** Implement ongoing mass media campaigns to counter tobacco company marketing and promotional activities, including those related to spit tobacco.



APPENDIX C

ACRONYMS USED IN THIS REPORT

AB	Alberta
BC	British Columbia
стимѕ	Canadian Tobacco Use Monitoring Survey
K-12	kindergarten to grade 12
MB	Manitoba
MUD	multi-unit dwelling
NB	New Brunswick
NL	Newfoundland & Labrador
NRT	nicotine replacement therapy
NS	Nova Scotia
NU	Nunavut
NWT	Northwest Territories
ON	Ontario
PEI	Prince Edward Island
QC	Québec
SK	Saskatchewan
US	United States
YK	Yukon

THE **■** LUNG ASSOCIATION[™] British Columbia



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