



**CANADIAN ENVIRONMENTAL LAW ASSOCIATION**  
L'ASSOCIATION CANADIENNE DU DROIT DE L'ENVIRONNEMENT

November 12, 2008

To: Members of the Board of Health and Members of Toronto City Council,

**Re: November 17, 2008 Board of Health Meeting Item HL19.7  
and Toronto City Council Meeting December 1, 2008**

***City of Toronto Environmental Reporting, Disclosure and Innovation Program***

The Canadian Environmental Law Association (CELA) applauds the Medical Officer of Health, Board of Health and City of Toronto Public Health, Legal and other staff who worked so hard to put together the comprehensive Environmental Reporting, Disclosure and Innovation Program which is before you today. CELA has worked for ten years with the Environmental and Occupational Working Group of the Toronto Cancer Prevention Coalition to see this community right-to-know by-law put in place. In our opinion it is a very necessary and innovative initiative that will greatly improve the City's ability to act strategically to improve public health. By providing long needed information on the local sources of 97% of pollution sources not yet reporting emissions to the Toronto environment, we will be able to fully understand the pathways of exposure to harmful substances and determine the relative contributions from various sectors to local pollution.

Consumer confidence has been tested recently by repeated revelations that toxic substances have invaded every aspect of Canadian's lives. Recent polling shows that the public wants their governments to act to protect them from toxic surprises. This program will give you the tools to do that in Toronto and demonstrate to the rest of Canada that these information gaps can be closed. This program also has many indirect benefits:

- It will benefit workers in Toronto facilities by making them more aware of the hazards they work with and educating them on pollution prevention options for their workplaces,
- It will diminish risk for emergency responders over time,
- It will send a strong signal that Toronto is serious about attracting green business, and
- It will encourage local expertise on pollution prevention.

CELA has also worked to get the Province of Ontario to implement a Toxic Use Reduction Strategy that is now under development. We concur with the conclusion of your staff report that Toronto's program is complimentary but not duplicative of the Province's efforts to date. The focus of the Province's program is to get facilities

currently reporting discharges to the National Pollutants Release Inventory (NPRI) to report on use as well by mandating pollution prevention plans. The focus of Toronto's program is to close the information gaps by lowering the thresholds for reporting to capture data from small to medium sized facilities and to enable these facilities to comply. As envisioned now the Provincial program will not address these needs.

Over the six years of development of this program and by-law, your staff has taken great care to:

- assess the gap between pollution present in Toronto's environment and emissions reported to identify the 25 substances of concern,
- consult extensively with those effected and the public,
- provide for technical, assistance and education and incentives to ease transition and preparation for the program,
- utilize the NPRI existing reporting systems already used by industry,
- drawn on best practices and successful programs in other jurisdictions,
- write a simple, easily understood transparent by-law that is enhanced by guidance materials, and
- design a web portal that will accommodate industries and the public's information needs.

For these reasons CELA urges you and City Council Members to take the next important step to approve this exceptional and innovative program.

Yours truly,  
Canadian Environmental Law Association



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