



Canadian Environmental Law Association
L'Association canadienne du droit de l'environnement

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**SUBMISSION TO THE TORONTO BOARD OF HEALTH
MAY 29, 1991
RE: ZERO DISCHARGE FOR THE CITY OF TORONTO**

The Canadian Environmental Law Association (CELA) has been part of the campaign for zero discharge in the Great Lakes. CELA is committed to the goal of seeing that zero discharge commitments made by the provincial and federal governments when they signed The Great Lakes Water Quality Agreement of 1978, are put into government programs and regulations. Such programs are long overdue. We urge the City of Toronto to join the growing number of agencies and groups developing zero discharge strategies. By doing so, the City could aid in reforming of the provincial Municipal Industrial Strategy for Abatement (MISA), the provincial regulatory program for water discharges which is seriously behind schedule and may not accomplish its stated goal of zero discharge.

Despite the long-standing federal and provincial government commitments to zero discharge in practice, we are still using our lakes and rivers to dilute toxic discharges. The provincial MISA program, the first Ontario pollution control regulation, has been under development for the last five years but has only resulted in monitoring regulations for the eight sectors it is regulating. MISA has not yet resulted in limiting any discharges to Ontario waters. The second phase of the MISA program will result in pollution control regulations based on best available technology economically feasible. CELA feels that these limited end of the pipe controls are inadequate and that end of the pipe controls may be 20 years out-of-date.

The United States Environmental Protection Agency (EPA) has just undertaken a review of their 20 year old Clean Water Act, which was based on best available technology controls. This review concluded that end of the pipe discharge controls for persistent toxics have failed to protect the health of fish, wildlife and at-risk human populations. As a result the U.S. is shifting its regulatory system for toxics from a pollution control focus to pollution prevention. The new pollution prevention initiative will be carried out first in the Great Lakes and will have reduction targets and timetables for persistent toxic chemicals. There is a lot of expertise and information on successful techniques for toxic use reduction and the City of Toronto is particularly well-suited to carry out these programs because of the institutional foundations Toronto already has in the Environmental Protection Office, the Healthy City Office and in the new environmental jurisdiction over discharges to City sewers give your works department the opportunity to include all persistent toxics in your

sewer use by-laws and to work with industries to eliminate those discharges. The State of Massachussets, which has laws prohibiting the disposal of all hazardous waste in the state, has developed a good toxic-use reduction program which would serve as a good model for Toronto. I have enclosed materials on this program. If Toronto were to take a leadership role in the province in advancing zero discharge in the sewer sector they could influence and speed-up the provinces MISA program which is leaving the sewer sector to last even though discharges from Ontario sewers account for over 90% of industrial pollution to water. If the MISA program maintains its current schedule, it will probably not begin to reduce toxic loadings significantly for at least ten years.

Zero discharge industries are possible. Encouraging these industries in our cities results in healthier workplaces, better neighbourhoods and healthier environment. The City has already begun to plan an environmentally friendly industrial area in the eastern port lands. Work now on a zero discharge initiative will enhance that effort, and other efforts to locate and maintain industry within Toronto.

Yours truly,

CANADIAN ENVIRONMENTAL LAW ASSOCIATION

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