

June 29, 2023

Honorable David Piccini
Minister's Office
Ministry of the Environment, Conservation and Parks
777 Bay Street, 5th Floor
Toronto, ON M7A 2J3

Delivered via E-mail and Regular Mail

Dear Minister Piccini:

Re: Request to provide additional Notice, Comment, and Public Participation for Site-specific Standards

I am writing to you to request that you exercise your authority under the *Environmental Bill of Rights, 1993* (“*EBR*”) and provide additional notice and comment and enhanced public participation opportunities in relation to applications and renewals of site-specific standards.

We understand that more than ten site-specific standards will expire on June 30th, 2023, and that the Ministry of Environment Conservation and Parks (MECP) will likely receive several subsequent requests for site-specific standards.

There is considerable public concern about the MECP's use of alternative standards to regulate air emissions in Ontario. In particular, the public is concerned that the use of site-specific standards allows facilities to discharge contaminants at significantly higher levels than the provincial air standards - in some cases by several orders of magnitude. These contaminants, include benzene and benzo(a)pyrene, which are human carcinogens and pose serious risk to public health and the environment. Moreover, facilities can operate for a lengthy time period of time of up to ten years under a site-specific standard with an opportunity to reapply. We note that currently more than 15 industrial facilities in Ontario are operating under site-specific standards, contributing to poor air quality in Sarnia, Hamilton, and other regions of Ontario.

Accordingly, we request that you exercise your authority under section 23 of the *EBR* and provide the public with additional time, beyond the minimum thirty-day period to comment on any new application or request for renewal of a site-specific standard. In addition, pursuant to section 25 of the *EBR*, we ask that you provide additional public notice through news media as well as actual notice to political representatives, community organizations and environmental organizations, including CELA. Finally, we request that under s 24 of the *EBR* you provide for

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enhanced public participation by organizing public community meetings and opportunities for oral submissions during the decision-making process regarding site specific standards.

We would be pleased to discuss this matter with you and members of your staff at your convenience. Please do not hesitate to contact me by phone at (416) 960-2284 ext. 7219 or via email at theresa@cela.ca

Yours truly,

CANADIAN ENVIRONMENTAL LAW ASSOCIATION

A handwritten signature in black ink, appearing to read 'T. McClenaghan', written over a faint rectangular box.

Theresa McClenaghan
Executive Director and Counsel

- c. Deputy Minister Serge Imbrogno
Ministry of the Environment, Conservation and Parks

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