



# INTERVENOR

*Dedicated to environmental equity, justice,  
health for over 50 years*

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## Indoor Air Quality and Children's Health

When we think of environmental law, often times we think of the outdoors - land, air, and water. But given the amount of time we spend indoors, the quality of our indoor environments is just as important to our health. Ventilation, radon, mould, harmful chemicals, climate change... all can have significant impacts on our health, and particularly the health of children.

CELA is proud to be a founding member of Canadian Partnership for Children's Health and Environment (CPCHE), an affiliation of groups with overlapping missions to improve children's health in Canada. A key initiative of CPCHE is Healthy Environments for Learning Day (HELD) - taking place each April, HELD aims to raise awareness of and encourage action to prevent environmental health risks to children in early learning and school environments.

The 2024 Healthy Environments for Learning Day campaign will focus on indoor air quality in Canada's schools and child care settings. This campaign is an opportunity to address topics such as learnings from COVID-19 about the importance of ventilation, vehicle diesel exhaust, radon, harmful chemicals in products, as well as wildfire smoke and other climate change issues. Visit CPCHE's [website for details](#) about the upcoming national speakers series and more!



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## Action Alert

### Protecting Public Consultation Rights under Ontario's EBR

The Ontario Ministry of Natural Resources and Forestry (MNRF) is [proposing regulatory amendments](#) under the *Environmental Bill of Rights* (EBR) that would exempt five types of orders from current legal requirements to:

- post notice of proposed orders on the online ERO,
- provide a minimum 30-day public comment period, and
- consider public comments before final decisions are made on the issuance or content of such orders.

If the regulatory amendments proceed, then notice of these *Lakes and Rivers Improvement Act* (LRIA) orders - such as dam removals and changes to fish ladders - would no longer be posted by the MNRF on the ERO for consultation purposes. Similarly, there would be no EBR opportunity for public input on such orders, and there would be no obligation on the Minister to consider public comments or explain how they affected the decision. **Instead, public notice would only be posted on the ERO after the Minister has already decided whether to issue the LRIA order.**

The public notice and comment regime under the EBR contains significant environmental rights that have been available to all Ontario residents for the past three decades. There is no persuasive or compelling rationale to exclude these critically important rights in relation to Ministerial decisions about LRIA orders. Area residents and Indigenous communities have rights, interests, and local knowledge that should be considered in Ministerial decision-making about LRIA orders.

CELA has created an [action alert page](#) on our website that contains detailed concerns relating to this proposal, as well as instructions for how to submit a comment on the ERO. **Please consider submitting written comments on the posting before April 19th and ask the province not to proceed with the exclusion of these important environmental rights under the EBR.**



Image courtesy of @Dave McIntosh via canva.com

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## Case Updates

### Elliot Lake and Radioactive Mine Waste

In the ongoing case in Elliot Lake, families are demanding action by the federal government and mining company BHP to investigate their properties and order a clean up radioactive wastes found on their properties. CELA and Blaise Law Counsel filed their written legal argument in federal court earlier this year, and are awaiting a hearing date. More information on this case can be [found here](#).

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## Law Reform Updates

### Continued Concern Regarding Provincial Environmental Assessment Reform

CELA recently [submitted a brief](#) to the Ontario government regarding the province's proposal to revoke the current Municipal Class Environmental Assessment (Municipal Class EA) and to pass a new regulation under the *Environmental Assessment Act* (EAA) that sets out streamlined EA requirements for certain municipal infrastructure projects.

After reviewing this most [recent proposal](#), CELA concludes that it is highly problematic, unsupported by persuasive evidence, devoid of implementation detail, and contrary to the public interest purpose of the EAA. While the comment period has closed, CELA encourages everyone to contact their local MPP and ask the government to withdraw and reconsider this proposal.

## CELA Comments on Bill 162

CELA provided submissions to the provincial government on Bill 162, Get It Done Act, 2024. In the submission, CELA expressed concerns about several provisions in the bill. These include the proposal to allow for the expropriation of land before an environmental assessment is completed, certain urban boundary expansions, and restrictions on future carbon pricing programs. CELA recommends that those sections be removed from the Bill; read the full [submission here](#).



*Image courtesy of Kathy Cooper*

## Safe, Affordable and Climate-Friendly Energy for All

This week, more than 500 organisations worldwide, including CELA, made a joint declaration calling on governments not to waste time and money on nuclear fairy tales and to provide safe renewable energy instead. The organisations come from at least 56 countries and territories and include climate and environment organisations, frontline communities, networks of peace activists, as well as youth groups, churches and other civil society representatives. Read the [full declaration and list of signatories here](#).

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## Inside CELA

### Tribute to Roy McMurtry

CELA was saddened to learn of the [passing of R. Roy McMurtry](#) on March 19,

2024. Mr. McMurtry was a towering figure in Ontario's justice sector for decades, and leaves an unparalleled legacy on justice, equality and democracy.

Amongst his proudest accomplishments while he was Attorney General of Ontario was the creation, expansion and entrenchment of the Community Clinic System. Not only was he the founder of the clinic system in this province in the 1970's, he remained its ally and friend throughout his life, as exemplified by his creation and chairing of the Friends of the Community Clinics.

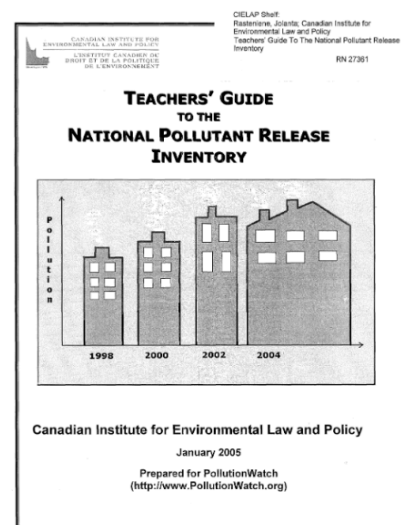
CELA will not soon forget Mr. McMurtry. CELA was funded as a legal aid clinic as a result of his work expanding the clinic system in the 1970's, first as a pilot and thereafter as a permanent environmental law clinic. CELA is grateful for the appreciation Mr. McMurtry had for the breadth of social justice issues and the impact of degraded environments on vulnerable communities.

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## From the Foundation

### March Feature

This month's feature from the Canadian Environmental Law Archive is a 2005 publication from the Canadian Institute for Environmental Law and Policy, titled "[Teachers' Guide to the National Pollutant Release Inventory](#)". Prepared for PollutionWatch, the guide's purpose was to help junior high and high school teachers understand what information they could find in the inventory, how and where to access the data and how to use it in the classroom.



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## Webinars & Resources

### Neighbours of a Nuclear Plant - An Information Session for Durham Residents

Tuesday, April 23rd, 2024  
7:00-8:00pm ET

[Click here to learn more and register for this free webinar](#)

Durham Region is host to two large nuclear generating stations, Pickering and Darlington. If you're one of the over 645,000 people who call Durham Region home, you might wonder... What are the risks of living near a nuclear power plant? What are you supposed to do in the event of an accident? What opportunities are there to weigh in on the decisions that affect your community?

Join this one-hour information webinar to learn more about living in a nuclear host community, and how you can get more engaged in the issues that impact you, your family and your community.

## **CPCHE's Healthy Environments for Learning Day (HELD) Speakers Series**

Canadian Partnership for Children's Health and Environment (CPCHE) is presenting a series of interactive events to help build awareness and catalyze action on key aspects of indoor air quality in schools and child care settings, in the lead-up to Healthy Environments for Learning Day in Canada (April 25, 2024).

### **Session 1: Reducing Radon in Schools and Child Care Settings Tuesday, April 2nd, 2024 2:00-3:00pm ET**

[Click here to learn more and register for this free webinar](#)

Radon is a naturally occurring radioactive gas that can build up to harmful levels indoors. Join this virtual event to learn about radon, its health risks, and what can be done to protect children and staff in schools and child care settings. Speakers will share practical information and advice on how to address this cancer-causing indoor air contaminant, drawing on their experiences with radon testing and remediation efforts in various jurisdictions across Canada.

### **Session 2: Improving Indoor Air Quality Through Source Reduction, Ventilation, and Filtration Thursday, April 4th, 2024 1:00-2:00pm ET**

[Click here to learn more and register for this free webinar](#)

Join this virtual event to learn about improving indoor air quality in schools and child care settings through source reduction, ventilation and filtration. Keynote speaker, Dr. Jeffrey Siegel, will discuss the health risks of exposure to particulate matter and other indoor air pollutants, with a focus on children's health. He will share his work on air quality, ventilation, sustainable buildings and energy systems, as well as learnings from COVID-19, to outline practical strategies to improve indoor air quality in educational settings.

## **A New Environmental Bill of Rights for Ontario: Final Report is Released**

The Law Commission of Ontario (LCO) recently released [A New Environmental Bill of Rights for Ontario: Final Report](#), a comprehensive and independent review of Ontario's *Environmental Bill of Rights, 1993* (EBR).

The report is the culmination of a significant consultation effort, to which CELA contributed at length. The report concludes that major law reforms are needed to ensure environmental accountability in Ontario, and makes 58 recommendations to amend the EBR and related policies.

The report is the first comprehensive, independent review of the EBR since it was enacted, and is available on the [LCO website](#).

## Outreach Events in March

CELA staff were involved in a variety of speaking events in recent weeks, including the following:

- CELA staff attended a mobile legal clinic at the [Little NHL](#) event in Markham
- Executive Director Theresa McClenaghan presented on air quality and extreme heat to a group of students at Lakehead University, and also spoke on energy poverty issues to graduate students at Osgoode Hall Law School.
- CELA lawyer Rick Lindgren delivered a guest lecture on ecological crime and access to justice to a Carleton University class.

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## Looking for a Publication?

CELA's charitable arm, the Canadian Environmental Law Foundation, maintains digital and physical collections that document the history of environmental protection across the country.

The Foundation recently launched a new website for the [Canadian Environmental Law Archives](#), allowing you to browse and search all of CELA's publications and historical records, as well as those of government agencies, watchdog authorities, nonprofit organizations, lawyers, and many of the country's most influential environmental advocates.

CELA also knows how fragile gains are and how easily they can be lost. One of the driving forces behind the creation of the CELA Foundation and the Archive was a desire to protect and document the history of environmental law and environmental decision-making.

Support Our Work



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