



phone: 519-973-1116

fax: 519-973-8360

---

**CITIZENS ENVIRONMENT ALLIANCE**  
of southwestern Ontario

October 14, 2008

*Sent Via Email*

jgerretsen.mpp@liberal.ola.org

Hon. John Gerretsen  
Minister of the Environment  
12th Floor, 135 St Clair Ave W  
Toronto ON M4V 1P5

Dear Minister Gerretsen:

**Re: Submissions to the Ontario Ministry of the Environment on Creating Ontario's  
Toxics Reduction Strategy Discussion Paper (EBR Registry No. 010-4374)**

I am writing in support of the Canadian Environmental Law Association's ("CELA's") submissions regarding the "Creating Ontario's Toxics Reduction Strategy" Discussion Paper, which was posted on the *Environmental Bill of Rights* Registry on August 27, 2008. Given that Ontario discharges more toxics than any other Canadian jurisdiction, it is fundamentally important that toxics use reduction legislation be implemented in this province, so as to protect the environment and human health.

In our view, the Province's toxics reduction strategy should be viewed by the newly-created Cabinet Committee on Ontario's Economic Future as an integral part of the shift to a sustainable economy. It should also be seen as central to the creation of green jobs in this Province, based on pollution prevention solutions this legislation will stimulate.

The success of Ontario's legislation will depend on its thoroughness. Key components will be needed for the best made-for-Ontario solution that will prevent unnecessary use and exposures to toxic substances by employing the most enduring regulatory tools in use globally. Many of these components are now part of your strategy. These include requirements to produce toxics use reduction plans that are compiled using materials use assessments to capture the use and fate of all toxics used in manufacturing processes and products in the province. It will be crucial that the legislation assure the rigour of these plans by requiring that they be certified by trained pollution prevention planners that are also certified.

We agree with CELA that there are still some areas that the Ontario Toxics Reduction Strategy should be strengthened:

- The proposed legislation should provide for the scope of the regulated community to be expanded. Provisions for the expansion of the list of chemicals to which the Act will apply must be included, and provision must also be made to increase the number of industrial sectors subject to the law.
- Substitution of safer alternatives must be a point of focus. This includes the identification of priority toxics for substitution, preparation of safer alternatives assessment reports, development of alternative action plans by the province for substances identified, and implementation of plans by companies based upon provincial plans. This is a rapidly growing priority for European regulators. It is important for Ontario to keep pace with their REACH reforms.
- Province-wide targets for reduction in the release and use of toxic substances by industry must be a part of Ontario's statute.
- Toxics reduction plans prepared by industry must be certified by planners as meeting provincial requirements, so as to ensure economic productivity and workplace health and safety improvements are made.
- The public right to obtain information on toxics in their communities must be recognized in the law.
- In addition to the enabling authority MOE proposes to include in the law to allow the government to ban, restrict, and require public reporting with respect to toxic substances in consumer products, the law needs to establish and implement labelling and warning requirements where substances are capable of causing cancer or effects such as reproductive toxicity.
- Technical assistance must be available to smaller facilities to enable them to reduce their use and emission of toxic substances, and to employees who may require re-employment or vocational training assistance.
- Strong compliance remedies for the government and the public will be essential to the Law.

We applaud the Government's commitment to enacting toxics use reduction legislation in Ontario. However, in order to achieve the goals of pollution prevention, protection of human health, and fostering the growth of a greener provincial economy, it is important that the proposed strategy be strengthened in the above-mentioned ways.

Sincerely,



Derek Coronado,  
Research and Policy Coordinator

CC: Greg Mouchian  
Senior Policy Advisor  
Ministry of the Environment  
Integrated Environmental Planning Division  
Strategic Policy Branch  
135 St. Clair Avenue West, Floor 11  
Toronto Ontario M4V 1P5

Gordon Miller  
Environmental Commissioner of Ontario  
1075 Bay Street, Suite 605  
Toronto, ON M5S 2B1