



Ontario Public Health Association  
l'Association pour la santé publique de l'Ontario  
Established/Établi 1949

The mission of OPHA is to provide leadership on issues affecting the public's health and to strengthen the impact of people who are active in public and community health throughout Ontario.

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**RE: EBR Posting 010-9349 Proposed Amendments to Ontario Regulation 455/09 and Policy Options for Enhanced Planning**

Thank you for the opportunity to provide comments on EBR Posting 010-9349 Proposed Amendments to Ontario Regulation 455/09 and Policy Options for Enhanced Planning.

The Ontario Public Health Association (OPHA) believes that strong regulations are required to support the government's Toxics Reduction Act. We also believe that community members, workers and consumers have the right to know about the environmental and occupational risks they are exposed to, in order for them to make informed decisions.

OPHA is a volunteer, non-profit organization that conducts research, education and advocacy on issues related to community and public health throughout Ontario. OPHA works with our partners including the Canadian Cancer Society, Cancer Care Ontario, and the Ontario Medical Association to advocate for toxics reduction. Together with these organizations we support the Take Charge on Toxics campaign. OPHA provided comments on the Toxics Reduction Strategy in 2008, on Bill 167 – the Toxics Reduction Act in 2009, and on Regulation 455/09 made under the Toxics Reduction Act in 2009. We also had the opportunity to present to the Government Committee on the Toxics Reduction Act.

**Enhanced Planning Options and Employee Involvement in Toxic Reduction Plans**

OPHA has reviewed the Ministry's Enhanced Planning Options (Backgrounder: Enhanced Planning March 31, 2010) and strongly supports full employee input into the creation of toxic reduction plans. Employees are knowledgeable stakeholders, and they often work directly with the substances included in the Act. Thus they are in a unique position to develop and recommend actions to reduce toxics use at their facility.

OPHA recommends that workplace joint health and safety committees be the vehicle for employee participation, and where joint H&S committees are not legislated (less than 20 workers) the worker health and safety representative participate on the Joint Workplace Toxics Reduction Committee. OPHA also feels that employee input through a joint committee must be regulated rather than suggested in guidance documents.

While toxic substances are identified in the Occupational Health and Safety Act, occupational health and safety training needs to be enhanced to include toxic use reduction so that the employer and worker representatives on joint health and safety committees can effectively participate in the process. OPHA recommends that the Ministry of the Environment work with the Ministry of Labour to address training and legislative requirements.

#### **Toxic Substance Reduction Planners**

OPHA believes that toxic reduction planners should be licensed by the Ministry and should have the appropriate skill and background that includes workplace health and safety. Planners must have environmental management experience as well as operational experience. To ensure that toxic reduction planners are up to date on best practices and toxics substitution, we feel that continuing education hours should be doubled from the proposed 60 hours between license periods to 120 hours. Continuing education programs could be taken through Massachusetts' Toxics Use Reduction Institute or courses offered through other universities. There currently are academic institutions such as Ryerson that offer occupational health certificate courses. These institutions may be interested in adding Toxic Reduction specific modules to their curriculum.

#### **Consumer Products Notification**

OPHA strongly encourages the Government of Ontario to proclaim new authorities regarding consumer products. This would give the province the authority to ban or restrict the manufacture, distribution or sale of designated toxic substances and products. It would also give the province the authority to require manufacturers and sellers to publicly report on products containing a toxic substance.

#### **Substances of Concern and Administrative Penalties**

OPHA recommends that the Ministry not delay the development of the regulations regarding substances of concern and administrative penalties begin immediately. Of utmost importance is the inclusion of additional substances that have been identified as substances of concern and as having the potential for human exposure in order to collect data and assess exposure to these substances.

In conclusion, OPHA supports amendments to Regulation 455/09 that will reduce exposure to toxic substances in our communities. Including full participation by employees and a strong licensing program for toxics reduction planners can help achieve this goal.

Sincerely,



Liz Haugh  
President