



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.

44 Victoria St., Suite 502
 Toronto, ON M5C 1Y2

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Tel: (416) 367-3313
 Fax: (416) 367-2844
 E-mail: admin@opha.on.ca
www.opha.on.ca

President
 Karen Ellis-Scharfenberg
 E-mail: president@opha.on.ca

Executive Director
 Pegeen Walsh
 E-mail: PWalsh@opha.on.ca

Constituent Societies

Alliance for Healthier Communities

Association of Public Health
 Epidemiologists in Ontario (APHEO)

Association of Supervisors of
 Public Health Inspectors of Ontario
 (ASPHIO)

Canadian Institute of Public Health
 Inspectors (Ontario Branch) (CIPHIO)

Community Health Nurses'
 Initiatives Group (RNAO)

Health Promotion Ontario (HPO)

Ontario Association of Public
 Health Dentistry (OAPHD)

Ontario Association of Public Health
 Nursing Leaders, (OAPHNL)

Ontario Dietitians in Public Health
 (ODPH)

Ontario Society of Physical Activity
 Promoters in Public Health (OSPAPPH)

Charitable Registration
 Number 11924 8771 RR0001

Michael Friesen
 A/Senior Policy Advisor
 Toxics Reduction Program
 Ontario Ministry of the Environment, Conservation and Parks
 40 St. Clair Avenue West, 4th floor
 Toronto ON M4V 1M2

Dear Mr.Friesen,

RE: EBR#013-4235 - Planning and reporting changes under the toxics reduction program and Ontario Regulation 455/09

The Ontario Public Health Association (OPHA) strongly advocates that the Ontario government not plan for and implement reporting changes under the Toxics Reduction Program and Ontario Regulation 455/09. As noted in our submission to EBR#013-4234, OPHA also advocates vigorously that the Government not repeal the Toxics Reduction Act. The Toxics Reduction Act and Regulation 455/09 under the Act have increased protection of public and environmental health by reducing the use and creation of toxic substances and informing Ontarians about toxic substances. Ontarians are exposed to hundreds of chemicals every day through the air we breathe, the food and water we consume, and the things we handle. Some of these chemicals have the potential to cause adverse health effects and may play a role in the development of chronic diseases such as cancer.

OPHA strongly advocates for regulatory action to reduce the public's exposure to toxic substances. Requirements under the Toxics Reduction Act and Ontario Regulation 455/09 for facilities to quantify and report on the use, creation and release of toxic substances within their facility helped inform industry, workers, consumers and the public on chemical exposure in communities and workplaces. Preparation and reporting of Toxics Reduction Plans helped manufacturers identify cost-savings, and worker and environmental protections, that also enabled them to showcase their commitment to sustainable practices.

Leading up to and following the enactment of the Toxics Reduction Act in 2009, OPHA was pleased to be part of the Ministry of Environment's Multi-Stakeholder Group that brought together industry, non-governmental health and environmental groups, and First Nations to work on regulations and frameworks towards full implementation of the Toxics Reduction Program. With a two pronged goal of preventing pollution by reducing the use and

creation of toxic substances; and informing Ontarians about those substances, the Toxics Reduction Program achieved results to protect Ontarians from exposure to toxics substances.

OPHA strongly urges the Provincial government to consider the following:

1. Continue to maintain current reporting and planning requirements under the Toxics Reduction Act and Ontario Regulation 455/09, specifically, requiring all regulated facilities to continue to:

- Report on all regulated substances;
- Prepare toxics reduction plans; and
- Conduct annual reviews of those plans.

All facilities regulated under the Toxics Reduction Act should be subject to the same toxics reduction planning and reporting requirements. These actions will help protect Ontarians from exposure to toxic substances and better inform them of steps being taken by regulated facilities within their community to reduce toxins and create healthier environments. OPHA does not support exempting certain facilities from the requirement to report on toxic substance use, creation and release, nor to exempt them from preparing toxics reduction plans.

Included below are OPHA's comments on EBR#013-4235 strongly supporting continuing provincial action on toxics reduction and strengthening the Toxics Reduction Act and Regulations to better protect human health and the environment:

2. The Toxics Reduction Program implemented elements beyond what is currently provided by the Federal Government's Chemical Management Plan

The Toxics Reduction Act requires regulated facilities to report on the use, creation and release of regulated substances and to prepare Toxics Reduction Plans. Regulated facilities are required to make this information publicly available. They are also required to identify whether they will be implementing the Plan or actions within it. In this way, facilities are encouraged and incentivized to make reductions. Many facilities identified that there would be cost savings from implementing their Toxics Reduction Plans.

The federal Chemical Management Plan does not require that regulated facilities prepare a Toxics Reduction Plan. At the same time, it is not clear that the reporting requirements under the National Pollutant Release Inventory will adequately capture the reporting of creation, use and release of the many thousands of toxics substances that people are potentially exposed to in Ontario.

3. The Toxics Reduction Program achieved significant results in reducing the creation, use and release of toxics substances in Ontario

According to the 2017 Minister's Annual Report on Ontario's progress to implement the toxics reduction program, there have been measurable decreases, year over year, in levels of toxic substances used and created by regulated facilities in Ontario. The report reported that between 2015 and 2016, across all regulated facilities, there was a:

- "6% decrease in use of toxic substances;
- 2% decrease in creation of toxic substances;
- 9% decrease in the amount of toxic substances contained in product;
- 2% decrease of substances released to air, land and water; and
- 3% decrease in the levels of carcinogens being released to the environment."

4. **The Toxics Reduction Program could do more to protect Ontarians from exposure to toxic substances through full implementation of Regulations under the Toxics Reduction Act**

While the Toxics Reduction Act has achieved some results in protecting Ontarians from exposure to toxic chemicals, it has the potential to do more. The Act had provisions that could better address workplace exposure to toxic substances. The Toxics Reduction Act also focused on reducing toxic substances in consumer products. There are also provisions under the Act allowing the government to establish toxics reduction targets. More substantial toxics reductions, consumer and worker protection, and public 'right-to-know' could be realized if these provisions were to be fully implemented under the Toxics Reduction Act.

Finally, the Toxics Reduction Act had a Living List Framework for reviewing and updating the list of substances prescribed under the Act, whereby anyone could nominate a change to the list. In order to be effective, this framework must be easy to navigate and supported by provincial resources to ensure that the list remains current and includes all toxic substances, including 'substances of concern' to which Ontarians are exposed.

We urge your ministry to adopt our recommendations as means to protect and promote Ontarian's health and wellbeing and that of our environment. Please don't hesitate to contact me at pwalsh@opha.on.ca or by calling 416 367-128 should you have any questions or require any additional information.

Thank you for your consideration.



Pegeen Walsh

About the Ontario Public Health Association:

OPHA is a member-based charity that has been advancing the public health agenda since 1949. OPHA provides leadership on issues affecting the public's health and strengthens the impact of those who are active in public and community health throughout Ontario. OPHA does this through a variety of means including promoting public dialogue and education on healthy public policy, capacity building, research and knowledge exchange. Our membership brings together many different disciplines and sectors working together to achieve our shared vision of optimal health for all.