



February 25, 2019

**RE: Schedule 5 of Bill 66 – Restoring Ontario’s Competitiveness Act**

Dear Mayor Eisenberger and Members of City Council,

I am writing to you on behalf of Environment Hamilton to urge you to take a formal position in opposition to Schedule 5 of the Ford Government’s proposed *Bill 66 – Restoring Ontario’s Competitiveness Act*. Schedule 5 proposes the repeal of Ontario’s *Toxics Reduction Act* and all associated regulations. We believe that repealing the Toxics Reduction Act is not in the best interests of any Ontario community, especially a community with an industrial base like Hamilton.

Hamilton is a city with a heavy industrial core and an extensive base of manufacturing facilities. Environment Hamilton has worked for many years to see these facilities make improvements to reduce their emissions to air, land and water. This has included pushing for greater openness and transparency so that Hamiltonians living in neighbourhoods near the industrial core have information about what their industrial neighbours are doing, what risks and challenges are associated with these activities and, most importantly, what efforts are underway at these facilities to minimize and, ideally, eliminate any environmental impacts from these operations. Ontario’s *Toxics Reduction Act* and associated regulations represents an important piece of legislation in the on-going effort to increase openness and transparency and realize progress in reducing and/or eliminating the use and release of harmful substances from industry wherever possible. The reductions and eliminations supported by this legislation are also incredibly beneficial for workers – creating safer work environments by reducing or eliminating exposures to harmful substances in the workplace. **Environment Hamilton strongly opposes Schedule 5 of Bill 66 to repeal the *Toxics Reduction Act* and all associated regulations**

The Canadian Environmental Law Association (CELA) has also expressed deep concern about the proposal to repeal the Toxics Reduction Act. As CELA so effectively points out:

(T)he purpose of the TRA (*Toxics Reduction Act*) is to prevent pollution and protect human health and the environment by reducing the use and creation of toxic substances and informing Ontarians about toxic substances. Pre-TRA legislation in Ontario (e.g. *Environmental Protection Act*, *Ontario Water Resources Act*) focused on, and continues to focus on, pollution abatement, not pollution prevention. **This problem explained, and continues to explain, why Ontario’s emissions of toxic substances to air, land, and water are some of the highest in North America (*emphasis added*).**

We note, too, that other Ontario municipal councils are speaking out against Schedule 5 by passing resolutions in order to let the provincial government know that they do not support the proposed repeal. In fact, Item 5.3 on the February 27<sup>th</sup> Hamilton City Council Meeting Agenda

is 'Correspondence from the City of Toronto respecting Protecting the City of Toronto against potential impacts of the Government of Ontario's Bill 66'. City of Toronto Council passed a resolution that includes opposing Schedule 5. Here is the reasoning for Toronto City Council's opposition:

Schedule 5 repeals the Toxics Reduction Act, 2009, and associated regulations that require Ontario companies to publicly report on their use and release of toxic substances and develop feasible reduction plans. Taking away the responsibility to inform the public and reduce harmful chemicals found in our workplaces, consumer products and local communities puts human health and the environment at risk.

**We are asking Hamilton City Council to do the same – please express opposition to Schedule 5 of Bill 66.** Losing the Toxics Reduction Act will take us backwards on the public transparency front, in our efforts to create safer workplaces for Ontario workers, and in our efforts to reduce the load of toxic substances to Ontario's air, land and water.

Thank you in advance for your consideration of this important matter!

Yours truly,

A handwritten signature in black ink, appearing to read 'L. M. Lukasik', written in a cursive style.

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cc Environment Hamilton Board of Directors