

CITY OF HAMILTON

NOTICE OF MOTION

Council: October 25, 2023

MOVED BY COUNCILLOR N. NANN.....

Opposition to the Ministry of the Environment, Conservation and Parks Proposed Changes to its Approvals and Permissions Procedures for Waste Management Systems, Stormwater Management, and Water-Taking

WHEREAS, the Ministry of the Environment, Conservation and Parks (MECP) is proposing changes to its approvals and permissions procedures for waste management systems, stormwater management, and water-taking that are anticipated to weaken its regulatory oversight on activities which have the potential to cause significant adverse impacts to the natural environment and human health;

WHEREAS, the City of Hamilton is committed partner in the protection and stewardship of the natural environment;

WHEREAS, the proposed changes are relevant to activities taking place in Hamilton such as transportation of biomedical, liquid industrial and hazardous waste. Under the proposed changes, hauling of some types of hazardous waste would be deemed a less complex activity and no longer require stricter oversight by the MECP via an Environmental Compliance Approval (ECA) and instead only require self-registration with the Environmental Activity and Sector Registry (EASR);

WHEREAS, the ECA process involves MECP review and approval; meanwhile the EASR program shifts this responsibility completely to the facility;

WHEREAS, waste facilities in Hamilton are often located in clusters so while individually they may be seen to have lower potential impact, according to a past Environmental Commissioner report “low-risk facilities still produce impacts to the environment. Indeed the cumulative impacts of several low risk facilities located closely together (as they commonly are) can be significant”;

WHEREAS, the proposed changes include increased impacts on stormwater management due to more exemptions to drainage works for roadway and railway construction projects;

WHEREAS, the proposed changes would remove certain water-taking limits for construction dewatering projects that could compromise responsible management of Hamilton’s natural waterways;

WHEREAS, the proposed changes would remove the requirement for the MECP to notify Conservation Authorities, which monitor water budget and work with City of Hamilton to protect water, of water-taking activities that could affect their conservation areas;

WHEREAS, the Canadian Environmental Law Association has stated that “having a 700% increase of allowable water-taking without permits could have serious implications to watershed sustainability”; and

WHEREAS, the proposed changes to reclassify specific permissions procedures will no longer include the right to public participation or appeals via the Environmental Bill of Rights or to public scrutiny via the Environmental Registry of Ontario;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to submit comments to the Environmental Registry of Ontario (ERO) at permissions.modernization@ontario.ca outlining concerns, impacts of the Ministry of the Environment, Conservation and Parks’ proposed changes to its approvals and permissions procedures for waste management systems, stormwater management, and water-taking (ERO 019-6951; ERO 019-6853 ERO 019-6963 and ERO 019-6928) to the City of Hamilton and Hamilton residents by October 30, 2023;
- (b) That the submission to the ERO be available on the City’s website; and
- (c) That Mayor Horwath write to the Minister of the Environment, Conservation and Parks on behalf of Council to express opposition to the proposed changes to its approvals and permissions procedures for waste management systems, stormwater management, and water-taking, as they would negatively impact all residents of Hamilton.