



Move Now to Protect Public Health

Submission to the Toronto Board of Health on
Environmental Reporting and Disclosure

July 3, 2008

**Registered Nurses' Association of Ontario
(RNAO)**

RNAO Submission on Environmental Reporting and Disclosure

The Registered Nurses' Association of Ontario (RNAO) is the professional association for registered nurses in Ontario. RNAO members practise in all roles and sectors across the province. Our mandate is to advocate for healthy public policy and for the role of registered nurses in enhancing the health of Ontarians. We welcome this opportunity to present our views to the Toronto Board of Health on the proposed Environmental Reporting and Disclosure program.

Toronto's Community Right to Know: An Important Initiative

The City of Toronto and Toronto Public Health have shown great leadership in developing a detailed community right-to-know program, and RNAO applauds that initiative. We look forward to comprehensive right to know across the province through Ontario's promised toxic use reduction program, but work by Toronto is helping pave the way. The City's work has shown that only a small fraction of toxic releases are reportable under current federal and provincial legislation, meaning there is an urgent need to lower the reporting threshold for toxic substances, and for all levels of government to act as quickly as possible. Toronto is to be congratulated for the important and careful work it has done to develop a community right-to-know proposal. The sooner it can be implemented, the sooner it can start preventing avoidable illness and death.

The public strongly favours community right to know about toxic substances in our environment. Realizing this fundamental right is long overdue. It is totally unacceptable that people do not know about their involuntary exposure to toxics, and it is unconscionable that people have little idea of which toxics their children are exposed to.

The first step in reducing toxic load is to know what that load is. When confronted with the need to reveal emissions, emitters will have an increased incentive to reduce or eliminate their emissions. As shown in a June 18 report to Toronto Board of Health, Massachusetts experienced a 50 per cent drop in toxic waste generation with its Toxic Use Reduction Act (TURA);¹ the reporting obligation under TURA has focused industry attention on use and emissions, with the result that both have dropped markedly. Net operating savings to complying firms exceeded the costs of compliance and the costs of required investments.^{2 3}

Furthermore, community right to know allows citizens to reduce their exposure to toxics. For example, at the individual level, Toronto's Air Quality Health Index enables parents to choose the safer times for their children to exercise outdoors.⁴ Community right to know also provides the basis to make informed collective decisions on how to address this major public health issue. This is true, whether the actions are taken by governmental or citizen bodies.

Ultimately, the goal must be to get carcinogens and other toxics out of the environment. The fundamental right to health requires a healthy environment, and finding out what is an environmental health hazard is an essential first step.

The Time for Action is Now

Community right to know has been a long time coming to Toronto. In 1986, a bylaw was developed but deferred. In 2000, Toronto's Environmental Plan identified the need for such a bylaw.⁵ For three years, Toronto Public Health (TPH) has been developing a proposal to track and reduce exposures to harmful substances in the City.⁶ TPH has widely reviewed evidence from other jurisdictions, has consulted broadly, and has had the benefit of a large number of written responses to the consultation document it posted for comment in January 2008. The result is a carefully considered community right-to-know proposal that details:

- Once a bylaw is in effect, it will provide guides to assist facilities to comply with the new legislation.
- It will phase in reporting requirements to give facilities time to prepare for reporting.
- It will make its proposed reporting system fit into the existing federal arrangement, which in turn should make Toronto's bylaw compatible with whatever emerges at the provincial level.
- It will make reporting in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*.

We are particularly pleased that the bylaw will lower reporting thresholds to capture a much larger percentage of toxic releases. We are also pleased that information will be readily available on-line, and hope that this information will be comprehensive and inclusive.

Toronto's Medical Officer of Health states he is seeking further information on Ontario's proposed toxic use reduction, so Toronto's program "does not conflict with or duplicate the provincial program."⁷ RNAO believes that the risk of either is remote. RNAO will continue to work with the City and other partners to strongly and publicly advocate for a quick introduction of provincial toxic use reduction legislation that complements municipal bylaws. RNAO is deeply concerned that this important bylaw could be delayed or deferred indefinitely due to this uncertainty, and we urge Toronto to follow through quickly on all its excellent work. This will do two things: deliver sooner the much needed information to all Torontonians on the hidden toxic risks they face, and maintain momentum for community right to know and toxic use reduction in Toronto and across the province.

Recommendations

RNAO supports the strongest possible community right-to-know program for Toronto as an essential step in minimizing the exposure of people to toxic chemicals. Accordingly, we urge the Board of Health to:

- Commit to recommending the Environmental Reporting and Disclosure Bylaw to Toronto City Council, to be considered by Council no later than October 2008.
- Request that the Ministry of Environment and the Premier review Toronto's community right-to-know documents when developing Ontario's toxic use reduction program, with a view to enhancing the health of all residents, urban and rural. This can be done by: including all of Toronto's 25 substances of concern; setting low reporting thresholds in line with Toronto's thresholds;

- building reporting and prevention capacity; delivering inclusive disclosure and ensuring ready public access to the collected information.
- Direct the Medical Officer of Health to report by October 2008 on any amendments needed to the bylaw, to make it fit better with the provincial toxics use reduction program.
 - Direct the Medical Officer of Health to ensure that all documents necessary to consider the bylaw are available to Toronto City Council no later than October 2008.
 - Endorse the Medical Officer of Health's budgetary request for TPH's pollution prevention program.

Conclusion

RNAO strongly supports a community right-to-know bylaw and pollution prevention program for Toronto. To ensure an early implementation of this vital public policy, we urge the Board of Health to endorse the TPH proposal and strengthen it with the above recommendations. RNAO and RNs will continue to work at the provincial and municipal levels to help realize this initiative.

References

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- ¹ Toronto Medical Officer of Health (June 2008). *Progress Report on a City of Toronto Environmental Reporting and Disclosure Program*, citing Massachusetts Department of Environmental Protection. (2005), *2003 Toxics Use Reduction Information Release*. www.mass.gov/dep/toxics/priorities/03relfin.doc.
- ² Ken Geiser. (February 2007). Delivered during his presentation at *Environmental Carcinogen Use Reduction Symposium*. Toronto.
- ³ Massachusetts Toxic Use Reduction Program (March 1997). *Evaluating Progress: A Report on the Toxic Use Reduction Program Evaluation*, p 40.
- ⁴ <http://www.toronto.ca/health/airquality/aqhi/index.htm>.
- ⁵ Toronto Cancer Prevention Coalition. (December 2004). *Report of the Occupational and Environmental Carcinogens Working Group: Development of a Community Right-To Know Strategy for Toronto: Case Study in South Riverdale/Beaches Community*, 2.
- ⁶ Toronto Medical Officer of Health, op. cit., 1.
- ⁷ Toronto Medical Officer of Health, op. cit., 1.