

The City of Toronto

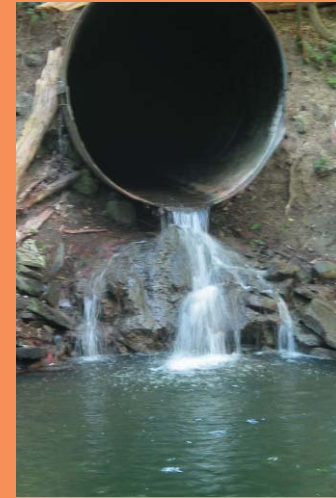
In 2000, Toronto City Council committed to adopting a CRTK bylaw that empowers residents to know the location, sources and health effects of toxics in their community.

To date, however, there is still no bylaw. The City of Toronto needs to take action!

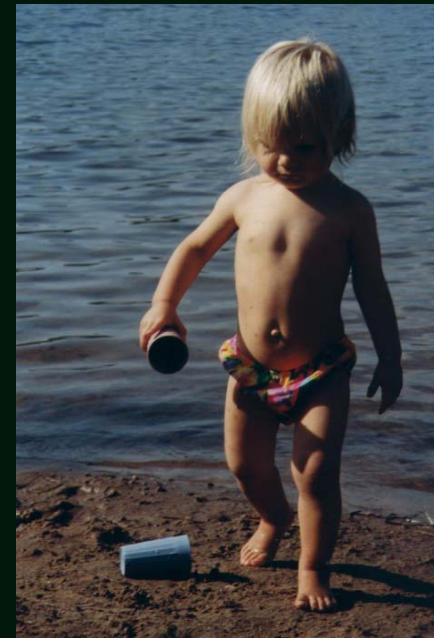
A strong CRTK bylaw can help make Toronto a clean and healthy place to live. Toronto can lead by example, proving CRTK to be a sign of progress and innovation.

A CRTK bylaw should

1. Ensure a user friendly system for reporting and retrieving information
2. Require small and medium-sized facilities to report the use, storage and release of toxic chemicals in their neighbourhood
3. Focus on toxic chemicals that contribute to occupational and environmental cancer and poor air quality, and on chemicals that damage children's health
4. Encourage industries to implement pollution prevention planning and activities to reduce the use of toxic chemicals
5. Provide consistent and timely information on toxic chemical use, storage and release in Toronto by location and facility



A Citizen's Guide to Community Right-to-Know



Secrecy is toxic

Are toxic chemicals being used, stored and released in your neighbourhood?

What the City of Toronto Can do Now

- Provide easy access to information that is already collected
- Report use, storage and release of toxic chemicals by City of Toronto facilities
- Provide support for community-based Environmental Liaison Committees
- Expand the City of Toronto's online "Environmental Portal" to include
 - Sewer-use bylaw and pesticide bylaw infractions by company name and location
 - Notices and information on Environmental Assessments underway in Toronto
- Applications and decisions on provincial Certificates of Approval (CoAs)
- Formal City of Toronto submissions to other levels of government regarding environmental policy (e.g., waste oil comment, nuclear energy comment)

Environmental Portal website: www.toronto.ca/environment/index.htm

Community Right-to-Know

Communities have a *right to know* about toxic pollutants affecting their workplaces and neighbourhoods.

Access to information on the use, storage and disposal of toxic chemicals is critical to both understanding and preventing potential health and environmental risks for all who live and work in a community.

With CRTK legislation, citizens can improve their environment, their health and their well-being by participating in the democratic process.

Get Involved

Join TEA's Residents for Safer Communities. Find out what you can do in your own neighbourhood to push for greater right-to-know and local reductions in toxic chemicals.

Help TEA win a CRTK bylaw in Toronto. Contact us at www.torontoenvironment.org/toxics or call 416-596-0660.



Why do we need Community Right-to-Know?

Access to environmental information is critical to understanding and preventing potential health and environmental risks for all who live and work in a community.

In 2004, over 7,000 tonnes of toxic chemicals were legally released into Toronto's air, land and water. These chemical pollutants, which are toxic to humans, cause cancer, damage our reproductive and respiratory systems, and disrupt hormone balance and development in children.

At least nine high-risk carcinogens are in our air at unhealthy levels: benzene, asbestos, cadmium, chromium (VI), dioxins, formaldehyde, polycyclic aromatic hydrocarbons (PAHs), butadiene, and tetrachloroethylene.

Less than 3% of the over 40,000 polluters in Toronto have to report their toxic releases to the public.

For hundreds of toxic chemicals, no tracking or reporting is required at all.

Industrial use, production and storage of chemicals occur every day in our neighbourhoods, but no one has to tell us.

Toronto citizens concerned about how these toxics affect their own or their children's health have no timely and relevant information available to them. Is the City of Toronto protecting our health?

Toronto needs a bylaw that provides the public with access to information on location, sources and health effects of toxic chemicals in their community.



The Benefits of Community Right-to-Know (CRTK)

CRTK gives members of the public a right to information about hazards that may affect their lives, and it puts residents on an equal footing with industries that operate in their communities.

CRTK encourages industries to clean up their acts by making them keep better track of toxic chemicals.

CRTK helps workers improve the health and safety standards of their workplace.

CRTK improves planning for emergency situations. When accidents or spills occur, *emergency services* know what toxics they are dealing with and the *community* knows what the environmental and health risks are.

CRTK improves neighbourhood safety.

CRTK facilitates partnerships between industry and communities.

It is a community's right to know. It is your right to know.

South Riverdale/Beaches Community Case Study

A 2004 case study revealed that information on carcinogens in this community from existing sources such as the National Pollutant Release Inventory (NPRI), the Ministry of the Environment's Environmental Registry, was inconsistent, incomplete and difficult to access.

- On the NPRI website, access to pollutant release information was available for only 11 of 115 companies suspected of releasing high-risk carcinogens.

- On the Province's Environmental Registry, information was found for only 2 of 30 auto-body and dry-cleaning businesses.
- Data from other companies of more concern – those involved in manufacturing, publishing and printing, film and photo development, incineration and landscaping – were limited or completely unavailable.

South Riverdale/Beaches and all Toronto communities deserve better disclosure of carcinogens in their neighbourhoods.

Toronto is Falling Behind

Other jurisdictions have adopted laws to give residents greater right-to-know, improve community safety and reduce the use and release of toxic chemicals.

New York City's Community Right-to-Know law requires over 6,000 polluters, from dry cleaners to chemical factories, to disclose on-site inventory of toxic substances. The law has triggered major pollution prevention efforts among dry cleaners using perchloroethylene, a known carcinogen.
www.nyc.gov/html/dep

The Toxics Right-to-Know Charter Amendment in **Eugene, Oregon**, requires companies to account publicly for the fate of all toxic chemicals coming into, being used or produced in and leaving the facility. In Eugene, Forrest Paints reduced emissions by over half within two years to avoid public criticism.
www.eugene-or.gov/portal/server.pt

The **Massachusetts** Toxics Use Reduction Act and the **New Jersey** Worker and Community Right to Know Act require public accounting of toxic materials similar to that required in Eugene, but they also require facilities to develop pollution prevention plans to reduce their use and release of toxic chemicals. The Massachusetts act has resulted in a 40% decrease in use and a 90% decrease in release of toxic chemicals reported over 12 years. Companies in **New Jersey** that developed pollution prevention plans have achieved \$66,000 in average annual savings.
www.turi.org and www.state.nj.us/health.eoh/rtkweb/

How to Access Current Environmental Information

National Pollutant Release Inventory

The NPRI requires facilities to disclose to Environment Canada the release and transfer of approximately 324 chemicals. Annual reports contain detailed information about on-site air, water and land emissions, as well as document the transfer of hazardous waste for off-site disposal, treatment or recycling.

How do I access NPRI information?

The reports are publicly accessible online at www.ec.gc.ca/npri.

The database of reports is searchable by location, such as a street, town, chemical or facility name.

Another option is to visit Pollution Watch at www.pollutionwatch.org, which is a more user friendly website. It contains reports and a searchable database that allows users to better understand and use the data. It also provides summaries of the health effects caused by different pollutants covered by the NPRI.

Why is NPRI information useful?

Pollution Watch allows users to cross-reference polluters by company name and substances used, enabling users to identify neighbourhood polluters in their area. Residents can target companies to take action on and help reduce and eliminate the presence of toxic substances in their neighbourhoods.

What information does the NPRI leave out?

Only companies with 10 or more employees and that use more than 10 tonnes of listed substances in concentrations greater than 1% are required to report to the NPRI. A significant number of institutions and industries are exempt from reporting under these guidelines, especially smaller facilities in local communities.

Certificates of Approval

A CoA is a legal document that permits and controls the manner in which polluting activities are carried out.

Ontario's Environmental Protection Act requires facilities that release, store, transport or dispose of toxic pollutants to obtain CoAs from the Ministry of the Environment (MOE).

The MOE is required to supply valid CoAs to the public on request.

Why is CoA information useful?

Obtaining CoAs can help the community find out what polluting processes a facility is licensed for, what pollutants are released into the environment and what restrictions or controls are required. Residents and organizations have used CoAs many times to evaluate if a company is not in compliance with the pollution control conditions. They can then notify the proper enforcement branch. Residents can also comment on applications for CoAs at the MOE's Environmental Registry.
www.ene.gov.on.ca/envision/env_reg/ebr/english/index.htm

What information do CoAs leave out?

No information is available about how requirements are established or how they are monitored on an ongoing basis. Many CoAs are out of date, and a facility may have hundreds of different CoAs for individual activities. A CoA does not record whether there is a history of infractions or non-compliance issues with regards to the regulated activity.

How do I access CoAs?

The Ontario MOE has prepared a form titled "Request for a Copy of a Certificate of Approval" (publication #5237e), which you can obtain at www.ene.gov.on.ca/envision/gp/5237e.pdf.

You must enter a CoA number when filling out the form. You can get this number by contacting the company directly or contacting the MOE's Environmental Assessment and Approvals Branch at 1-800-461-6290 (locally at 416-314-8001) or at EAABGen@ene.gov.on.ca.

Requests for CoAs cost \$10 per copy. If the CoA has to be retrieved from the MOE archives, a \$60 off-site retrieval fee applies.

Additional Environmental Information Websites

Accessing Material Safety Data Sheets (MSDSs)
www.ccohs.ca/products/databases/msds.html

The Ontario Health and Safety Act mandates that MSDSs for hazardous substances in facilities be available to employees and the public. The sheets

contain health and safety information such as health risks associated with environmental exposure to toxic materials, first aid recommendations, personal protection, spill and disposal procedures, storage and handling, and so on. An example of an MSDS is available at www.ccohs.ca/products/databases/samples/msds.html.

The public can acquire a facility's MSDSs through a formal request to the local Medical Officer of Health (MOH). The MOH is required by law to ask the facility for the MSDSs requested, while keeping the identity of the individual anonymous.

Environmental Commissioner of Ontario (ECO)
www.eco.on.ca

This website contains general information about the Environmental Bill of Rights, ECO publications and access to the Environmental Registry, which provides information about environmentally significant proposals and decisions made by Ontario ministries.

Tox Town
www.toxtown.nlm.nih.gov

This resource, hosted by the U.S. National Library of Medicine, provides easy-to-understand information about sources and potential health and environmental effects of hazardous substances commonly found in communities.

Start a Good Neighbour Campaign!

Good neighbour campaigns use the power of community organizing to make neighbourhood facilities prevent or limit their release of toxic chemicals. Good neighbour campaigns have been very successful in New Jersey and Ohio. These campaigns are an alternative to waiting around for the government to do something.

What's involved in a good neighbour campaign?

- Researching the pollution problems in your community, for example, collecting data on facility emissions, reviewing permit files, interviewing neighbours and workers
- Planning a strategy on how to approach the management of the facility and encourage reduction of toxic releases
- Organizing the community with door-to-door canvassing and meetings
- Appealing to conscience by writing handwritten letters urging the facility to become a good neighbour
- Gaining local media interest that places the facility under public scrutiny
- Opening lines of communication with facility decision makers to exchange information and negotiate a series of commitments

The successful Ohio Citizen Action Group published the *Good Neighbour Campaign Handbook: How to Win* (edited by Paul Ryder), which can be ordered online or through your local bookstore.

Contact TEA for advice and support on starting a good neighbour campaign. You can reach us at www.torontoenvironment.org/toxics or call 416-596-0660.

