

## Board of Health

<b>Meeting No.</b>	19	<b>Contact</b>	Candy Davidovits, Committee Administrator
<b>Meeting Date</b>	Monday, November 17, 2008	<b>Phone</b>	416-392-8032
<b>Start Time</b>	12:00 PM	<b>E-mail</b>	boh@toronto.ca
<b>Location</b>	Committee Room 1, City Hall	<b>Chair</b>	Councillor John Filion

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<b>Start Time</b>	12:00 PM	<b>E-mail</b>	cdavidov@toronto.ca
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HL19.7	Amended			Ward: All
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### City of Toronto Environmental Reporting, Disclosure and Innovation Program

#### City Council Decision

City Council on December 1, 2 and 3, 2008, adopted the following motions:

1. City Council approve the Environmental Reporting, Disclosure and Innovation Program described in the report (October 30, 2008) from the Medical Officer of Health and in the technical document (Attachment 2) entitled “Environmental Reporting, Disclosure and Innovation – A Proposed Program for the City of Toronto – November 2008”.
2. The City Solicitor be authorized to prepare and introduce a Bill in Council in the form or substantially in the form of the proposed by-law attached to this report as “Attachment 1”.
3. City Council forward this report to Environment Canada and request Toronto Public Health to pursue an agreement with Environment Canada to use their web-based One Window for National Environmental Reporting System (OWNERS) system to enable facilities to electronically submit data for this program. If an agreement is not reached with Environment Canada to use the OWNERS system or the output calculator is not ready by December 31, 2009, the Medical Officer of Health be requested to report to the Board of Health on alternative reporting options.
4. The Medical Officer of Health continue regular communication with senior staff from the Ontario Ministry of Environment and Environment Canada on the harmonization of the Federal, Provincial and local environmental reporting programs so as to avoid duplication and ensure seamless integration of reporting methods for affected facilities.
5. City Council request the Ontario Minister of the Environment to collaborate with the City during implementation of the provincial Toxics Reduction Strategy by providing

funding and technical assistance for research and pilot projects to develop and promote environmental best practices and economic incentives to small and medium sized businesses in Toronto.

### **City Council Decision Advice and Other Information**

Speaker Bussin ruled the following Recommendations 3 and 4 of the Board of Health, relating to the 2009 Capital Budget, redundant, as these recommendations were considered by the Executive Committee at its Special meeting on November 25, 2008. The Executive Committee's recommendations on the Toronto Public Health 2009 Capital Budget will be before Council at the Special meeting on December 10, 2008:

3. City Council approve the addition of a new IT capital project, the Environmental Reporting, Disclosure and Innovation Program, to the Toronto Public Health 2009 Recommended Capital Budget with a total project cost of \$1.296 million that will require a 2009 cash flow of \$0.228 million and future commitments of \$0.615 million in 2010 and \$0.453 million in 2011.
4. The net operating impacts in the Toronto Public Health Operating Budget of \$0.163 million for 2010 (including six positions) and \$0.052 million in 2011 emanating from the approval of this project in 2009 be considered within the overall scope of Toronto Public Health's 2010 and 2011 operating budget submissions for the reporting and disclosure component of the program.

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### **Committee Recommendations**

The Board of Health recommends that:

1. City Council approve the Environmental Reporting, Disclosure and Innovation Program described in the report (October 30, 2008) from the Medical Officer of Health and in the technical document (Attachment 2) entitled "Environmental Reporting, Disclosure and Innovation – A Proposed Program for the City of Toronto – November 2008".
2. The City Solicitor be authorized to prepare and introduce a Bill in Council in the form or substantially in the form of the proposed bylaw attached to this report as "Attachment 1".
3. City Council approve the addition of a new IT capital project, the Environmental Reporting, Disclosure and Innovation Program, to the Toronto Public Health 2009 Recommended Capital Budget with a total project cost of \$1.296 million that will require a 2009 cash flow of \$0.228 million and future commitments of \$0.615 million in 2010 and \$0.453 million in 2011.
4. The net operating impacts in the Toronto Public Health Operating Budget of \$0.163 million for 2010 (including six positions) and \$0.052 million in 2011 emanating from the approval of this project in 2009 be considered within the overall scope of Toronto Public Health's 2010 and 2011 operating budget submissions for the reporting and disclosure component of the program.

5. City Council forward this report to Environment Canada and request Toronto Public Health to pursue an agreement with Environment Canada to use their web-based One Window for National Environmental Reporting System (OWNERS) system to enable facilities to electronically submit data for this program.
6. The Medical Officer of Health continue regular communication with senior staff from the Ontario Ministry of Environment and Environment Canada on the harmonization of the federal, provincial and local environmental reporting programs so as to avoid duplication and ensure seamless integration of reporting methods for affected facilities.
7. City Council request the Ontario Minister of the Environment to collaborate with the City during implementation of the provincial Toxics Reduction Strategy by providing funding and technical assistance for research and pilot projects to develop and promote environmental best practices and economic incentives to small and medium-sized businesses in Toronto.

### **Committee Decision Advice and Other Information**

The Board of Health:

1. held a public meeting and notice of the proposed Environmental Reporting, Disclosure and Innovation Program and by-law was posted on the City's web site for a minimum of five days;
2. supported the Environmental Reporting, Disclosure and Innovation Program described in the report (October 30, 2008) from the Medical Officer of Health and in the technical document (Attachment 2) entitled "Environmental Reporting, Disclosure and Innovation – A Proposed Program for the City of Toronto – November 2008";
3. forwarded this report to the November 25, 2008, meeting of the Executive Committee, for its consideration during the 2009 Capital Budget process;
4. recommended to other Boards of Health in Ontario that they advocate the enactment of a similar by-law;
5. requested the Medical Officer of Health to:
  - a. provide annual updates to the Board of Health, beginning in 2009, on the implementation and evaluation of the Environmental Reporting, Disclosure and Innovation Program;
  - b. submit an interim report to the Board of Health by January 2013, on effectiveness of this particular program in terms of Toronto air quality, health of employees of small businesses and on its impact on the economic community in Toronto;
  - c. report to the Board of Health on options for contextualizing and expanding information on the website designed for this program in the manner detailed

below:

- i. for each priority chemical, the website should include what the other likely sources of exposure are in Toronto beyond the facilities which report. For example, when benzene is reported, it should also state that the majority of benzene emissions are released by gas stations which are currently not part of the reporting program; and
  - ii. recommend that the following be reported on the Toronto Environment Office environmental portal:
    - accidental spills reported to the City and the Province;
    - any available data on brownfield sites;
    - sewer use by-law and pesticide by-law non-compliance/infracton incidences; and
    - water and air testing data;
6. forwarded this report to the Toronto Board of Trade, the Toronto Industry Network, the Toronto Association of Business Improvement Areas and the Toronto and York Region Labour Council and requested that they collaborate with Toronto Public Health to coordinate outreach, training and assistance programs to affected facilities and the community; and
7. forwarded this report for information to the Ontario Public Health Association, Association of Local Public Health Agencies, Cancer Care Ontario and the Ontario Medical Association.

## **Origin**

(October 30, 2008) Report from Medical Officer of Health

## **Summary**

The Medical Officer of Health (MOH) recommends that City Council adopt an Environmental Reporting, Disclosure and Innovation Program, including a bylaw that comes into effect on January 1, 2010. The program would capture important information on priority toxic substances in Toronto's environment, help businesses adopt pollution prevention measures, and inform residents about local environmental conditions. This type of program is often referred to as "community right-to-know."

The Environmental Reporting, Disclosure and Innovation Program delivers on the goals laid out in the City's Climate Change, Clean Air and Sustainable Energy Action Plan, the Agenda for Prosperity, and the Green Economic Development Strategy. These plans recommend new monitoring and public reporting program for toxic air contaminants, support for the "greening" of local businesses via pollution prevention education, and collaboration with industry to enhance growth, productivity and innovation.

Key to this program is a partnership between Toronto Public Health (TPH) and Economic Development, Culture and Tourism (EDCT) that will support coordinated delivery of the

program to the business community to accelerate implementation of environmental improvements, and stimulate innovation and growth of the green economy. TPH will also collaborate with other divisions including the Toronto Environment Office and Toronto Water, as well as Environment Canada, the provincial government, businesses and other stakeholders.

TPH research identifies 25 hazardous substances commonly used by industrial, commercial and institutional facilities that exist in our air at levels that are of health concern. This new program would require affected facilities and City of Toronto operations to report to the City each year if they use or release any of these priority substances above specified thresholds. TPH would phase in reporting obligations over four years and collaborate with EDCT to provide training and resources for facilities to reduce or find safer substitutes for these chemicals. The Environmental Reporting, Disclosure and Innovation Program includes an important Information and Technology (IT) capital investment for a new database to enable the City to collect and analyze local pollution information, track trends and inform the community. TPH would use the data to better understand and address potential health hazards and support business innovation, and would make the information publicly accessible via a searchable internet site. Attached is a technical document that provides details of the proposed program, including a draft bylaw.

This new program fills important gaps in the reporting and disclosure of information and support for environmental innovation for small and medium-sized Toronto businesses. Current reporting programs like the National Pollutant Release Inventory (NPRI) and the Ontario government's proposed Toxics Reduction Strategy focus on only large businesses. Most programs to support pollution prevention are also targeted at larger facilities. In an urban setting like Toronto, the majority of facilities using chemicals are too small to be included in these programs. Although use or emissions of chemicals from individual small and medium-sized businesses may be modest and meet existing standards, the long-term cumulative exposure to chemicals from many facilities in close proximity to where people live creates significant concern for health. TPH estimates that this program would collect data from 5,000 to 7,000 local facilities, in contrast to the NPRI, which collects data from about 350 facilities in Toronto.

The Environmental Reporting, Disclosure and Innovation Program recognizes the important linkages between the environment, economy and social well-being. This program has been developed based on extensive research and three years of consultation with the business community, environmental and health organizations, City staff and other governments, worker agencies and residents. This feedback has helped TPH design a program that will benefit health by contributing to improvements in local air quality and improve community right-to-know by making information publicly accessible. TPH will minimize the burden to local businesses through education and training programs, online reporting and phased implementation over several years. The program can help retain and enhance economic opportunity by identifying incentives to actively stimulate job creation, green innovation and productivity improvements.

At this time of economic uncertainty, the City should be sensitive to the needs of local businesses. The phased implementation of this proposed program provides time for businesses to adjust and prepare for reporting. During the phase-in period, training and technical assistance can help facilities identify existing costs (such as chemical handling and disposal), and consider opportunities for short and long-term investments in pollution prevention. As part

of the early phases of program implementation, TPH, EDCT and other divisional partners will conduct research and pilot projects to examine best practices for implementing environmental improvements in a cost-effective and cost-competitive manner.

### **Background Information (Committee)**

Environmental Reporting, Disclosure and Innovation Program - Staff Report  
<http://www.toronto.ca/legdocs/mmis/2008/hl/bgrd/backgroundfile-17196.pdf>

Environmental Reporting, Disclosure and Innovation Program - Attachment 1  
<http://www.toronto.ca/legdocs/mmis/2008/hl/bgrd/backgroundfile-17197.pdf>

Environmental Reporting, Disclosure and Innovation Program - Attachment 2 - Cover Page.pdf  
<http://www.toronto.ca/legdocs/mmis/2008/hl/bgrd/backgroundfile-17198.pdf>

Environmental Reporting, Disclosure and Innovation Program - Attachment 2  
<http://www.toronto.ca/legdocs/mmis/2008/hl/bgrd/backgroundfile-17199.pdf>

### **Background Information (City Council)**

(November 25, 2008) Transmittal from the Executive Committee (HL19.7b)  
<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-17606.pdf>

### **Communications (Committee)**

(November 12, 2008) letter from Sarah Miller, Coordinator and Researcher, and Joseph Castrilli, Counsel, Canadian Environmental Law Association (HL.Main.HL19.7.1)

(November 17, 2008) letter from Nancy Bradshaw, Co-Chair, Toronto Cancer Prevention Coalition, Occupational and Environmental Working Group (HL.New.HL19.7.2)

(November 17, 2008) letter from Cheryl Rook, Occupational Health Nurse, Occupational Health Clinics for Ontario Workers Inc. (HL.New.HL19.7.3)

(November 17, 2008) letter from J.B. Boughs, CRSP, Director, Health Safety and Environment, Sanofi Pasteur Canada (HL.New.HL19.7.4)

(November 17, 2008) letter from Paul Scrivener, The Toronto Industry Network (HL.New.HL19.7.5)

(November 17, 2008) letter from M. Vuchnich, President, Leaside Business Park Association (HL.New.HL19.7.6)

(November 17, 2008) letter from Paul H. Martin, President, Del Equipment Limited (HL.New.HL19.7.7)

(November 17, 2008) letter from David M. Peters, Manager, Environment, Health and Safety and Responsible Care, BASF Canada (HL.New.HL19.7.8)

(November 17, 2008) letter from Katrina Miller, Campaigns Director, Toronto Environmental Alliance (HL.New.HL19.7.9)

(November 17, 2008) letter from Randy Bridge, Executive Director, Ontario Fabricare Association, and Representative of the Dry Cleaners in Toronto and Ontario (HL.New.HL19.7.10)

(November 17, 2008) submission from Bill Davis, Executive Director, Toronto Automobile Dealers' Association (HL.New.HL19.7.11)

(November 17, 2008) submission from Canadian Cancer Society, Ontario Division (HL.New.HL19.7.12)

(November 17, 2008) letter from Fran Maclure, Outreach Coordinator, Women's Healthy Environments Network (WHEN) (HL.New.HL19.7.13)

(November 17, 2008) submission from Medical Officer of Health (HL.New.HL19.7.14)

### **Communications (City Council)**

(November 21, 2008) letter from Rick Ludwig, Past President, Ontario Funeral Service Association (CC.Main.HL19.7.15)  
 (November 27, 2008) e-mail from Sarah Miller, Coordinator and Researcher and Joseph Castrilli, Counsel, Canadian Environmental Law Association (CC.Supp.HL19.7.16)  
 (November 26, 2008) letter from Plamen Petkov, Senior Policy Analyst, Canadian Federation of Independent Business (CC.New.HL19.7.17)  
 (July 31, 2008) letter from Scott Marks, President, Toronto Professional Fire Fighters' Association, Local 3888, submitted by Councillor Adam Vaughan, Ward 20, Trinity-Spadina (CC.New.HL19.7.18)

### **Speakers (Committee)**

Dr. David McKeown, Medical Officer of Health (Submission Filed)  
 John Norris, Executive Director, Hamilton District Autobody Repair Association (HARA)  
 Bill Davis, Executive Director, Toronto Automobile Dealers Association (Submission Filed)  
 Satinder Chera, Director, Provincial Affairs, Canadian Federation of Independent Business (CFIB)  
 Plamen Petkov, Senior Policy Analyst, Canadian Federation of Independent Business  
 Andrew Judge, Toronto Industry Network (Submission Filed)  
 David M. Peters, Manager, Environment, Health and Safety and Responsible Care, BASF Canada Inc. (Submission Filed)  
 Katrina Miller, Campaigns Director, Toronto Environmental Alliance (Submission Filed)  
 Andy King, National Co-ordinator/Department Leader, United Steelworkers, Canadian National Office  
 Jay Mandarino, Head Oyster Shucker, CJ Graphics Inc.  
 Rowena Pinto, Senior Director, Public Affairs, Canadian Cancer Society, Ontario Division (Submission Filed)  
 Irene Gallagher, Senior Manager, Public Issues, Canadian Cancer Society, Ontario Division  
 Jem Cain, Co-Chair, New Toronto Good Neighbours  
 Paul Martin, President, DEL Equipment Limited (Submission Filed)  
 Randy Bridge, Executive Director, Ontario Fabricare Association, and Representative of the Dry Cleaners in Toronto and Ontario (Submission Filed)  
 Fran Maclure, Outreach Coordinator, Women's Healthy Environments Network (WHEN) (Submission Filed)  
 Ray Hunt, ISP Canada Corporation  
 Alenka Manners, Member, Ontario Association of Cemetery and Funeral Professionals  
 Jim Boughs, Director, Health, Safety and Environment, Sanofi Pasteur Canada (Submission Filed)  
 Elena Kozinitsky, Student, Humber College  
 Sarah Miller, Coordinator and Researcher, Canadian Environmental Law Association (Submission Filed)  
 (November 17, 2008) Councillor Adam Vaughan, Ward 20 - Trinity-Spadina

## **7a City of Toronto Environmental Reporting, Disclosure and Innovation Program**



**Origin**

(November 12, 2008) Letter from Board of Health Budget Sub-Committee

**Summary**

Forwarding the recommendation of the Board of Health Budget Sub-Committee from its meeting held on November 12, 2008.

**Background Information (Committee)**

Letter from the Board of Health Budget Sub-Committee

<http://www.toronto.ca/legdocs/mmis/2008/hl/bgrd/backgroundfile-17431.pdf>

*Submitted Monday, November 17, 2008*

*Councillor John Filion, Chair, Board of Health*