



STAFF REPORT INFORMATION ONLY

Environmental Reporting, Disclosure and Innovation Program (ChemTRAC) Update

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To:	Board of Health
From:	Medical Officer of Health
Wards:	All wards
Reference Number:	

SUMMARY

This report provides an update on the implementation of the Environmental Reporting, Disclosure and Innovation Program. This program, now called ChemTRAC, is designed to protect public health and stimulate the greening of local facilities by tracking and reducing toxic chemicals found in Toronto's environment. An important component of this program is the Environmental Reporting and Disclosure Bylaw (Municipal Code Chapter 423) which came into force January 1, 2010.

Toronto Public Health is coordinating the implementation of ChemTRAC, in partnership with Economic Development and Culture, the Toronto Environment Office and Toronto Water. The program activities in 2009 focused on informing facilities about the bylaw and developing resources to help them report their use of toxic chemicals. This is an important step in order to ensure that facilities know how to comply with the bylaw and are aware of greening/pollution prevention resources. The education and outreach activities for facilities included a mailing to more than 6000 facilities that may need to report, a series of breakfast seminars held throughout the city, the development of a Guide to Reporting and release estimation calculators, along with creating and populating the program website (toronto.ca/chemtrac).

The development of an online reporting system to effectively and accurately collect the reported data was also started in 2009. This involved discussions with Environment Canada and Toronto Public Health Information Technology (IT) to plan and develop the necessary IT infrastructure.

These activities are the groundwork essential to continued program success and growth.

Financial Impact

This report has no financial impact beyond what has already been included in the 2010 budget.

DECISION HISTORY

Toronto's 2000 Environmental Plan recommended that the City develop a community right-to-know bylaw that empowers community members to know the location, sources and health effects of toxic chemicals in their community. At its January 17, 2005 meeting, the Board of Health recommended that the Medical Officer of Health (MOH) consider practical and effective community right-to-know strategies, including regulation that the City could implement.

Following extensive research and stakeholder consultation, the MOH recommended a bylaw to collect and publish data on 25 priority chemicals used and released by local facilities, and a program to provide pollution prevention resources to Toronto facilities and support the implementation of other City environmental programs.

On December 3, 2008, City Council adopted the Environmental Reporting, Disclosure and Innovation Program, which included the Environmental Reporting and Disclosure Bylaw (Municipal Code Chapter 423). This report provides an annual update on program implementation as requested by the Board of Health. It also reports on Council's request that Toronto Public Health "*pursue an agreement with Environment Canada to use their web-based One Window for National Environmental Reporting System (OWNERS) 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 alternate reporting options.*"

The decision history of this process can be found at <http://www.toronto.ca/legdocs/mmis/2008/hl/bgrd/backgroundfile-17196.pdf>

ISSUE BACKGROUND

The goal of ChemTRAC is to improve public health by reducing toxic chemicals in our environment. To meet this goal, the program:

- requires local facilities to track and report their use and release of toxic chemicals;
- supports local facilities with green business strategies; and
- provides the public with information on toxic chemicals in the community.

In order to achieve these goals, a number of outreach materials and activities were conducted in 2009. To ensure clarity and consistency through all of the materials and outreach activities, the name ChemTRAC (**C**hemicals in **T**oronto, **R**eduction and **A**wareness in our **C**ommunity) was developed for the program.

Chemical reporting for ChemTRAC will be done through the Environmental Reporting and Disclosure bylaw (Municipal Code Chapter 423), which came into force January 1,

2010. The bylaw requires facilities and facilities located in the City of Toronto to annually report on any of the 25 toxic chemicals listed in the bylaw that were released, manufactured, processed or otherwise used. A facility must report any amount equal to or above the threshold level for the chemicals as set out in the bylaw. Toronto Public Health (TPH) anticipates 5,000 to 7,000 facilities will be affected by the bylaw.

Reporting is being phased in over three years to allow facilities, particularly small and medium-sized enterprises, to learn about the bylaw and their reporting requirements. The phase-in is sector-based and facilities are identified using the North American Industry Classification System, a categorization system developed jointly by Canada, the United States and Mexico. Sectors that are predominantly comprised of larger facilities or have pollution prevention and data estimation tools more readily available to them are in Phase One, as they would likely require the least amount of preparation time.

Beginning in 2010, Phase One facilities are required to track chemical use and release information and submit summary data for 2010 by June 30, 2011. Phase One facilities are from the food and beverage, printing and publishing, power generation, chemical manufacturing, wood industries, and water treatment sectors. Phase Two facilities, which will start tracking chemical use and release in 2011 and report in 2012 include chemical wholesale, dry cleaning, laundry services, funeral services, waste management and remediation, medical and diagnostic laboratories, auto repair and maintenance sectors. Phase Three facilities cover all other sectors that are not exempt under the bylaw and are required to start tracking chemical use and release in 2012 and report in 2013.

A complete description of the phases and sectors can be found in the report entitled, "Environmental Reporting, Disclosure and Innovation: Understanding the Proposed Bylaw" (<http://www.toronto.ca/health/hphe/pdf/understandingbylaw2008.pdf>).

COMMENTS

Informing Facilities about the Environmental Reporting and Disclosure Bylaw

Toronto Public Health has implemented a variety of outreach activities to reach as many facilities as possible with information about the bylaw. The main goal of the outreach is to prepare facilities to track data, what the reporting requirements are under the bylaw, how to determine if they need to report and types of pollution prevention options that are available. Activities included:

- a monthly e-newsletter with information about the ChemTRAC program including bylaw resources. It is currently sent to 450 business subscribers, along with community partners, general public, city staff and councillors;
- an advertising campaign in trade journals, targeted e-blasts, and a website directed at facilities affected by the bylaw;
- a direct mailing to approximately 6,600 facilities with information about the bylaw; and

- a series of breakfast information sessions held in four locations across the City. Almost 200 people attended these sessions and rated them as very useful. Additional information sessions are being held throughout 2010.

Supports for Facilities

Several tools and resources were developed in 2009 to help facilities learn about reporting and to estimate the data they need to report. The output calculators (also known as chemical estimation calculators) referenced by City Council at its December 3, 2008 meeting are one of the tools being developed. TPH has developed approximately 60 calculators, both in-house and in collaboration with Environment Canada, the Ontario Ministry of the Environment and external consultants. Facilities can use them to estimate chemical use and release based on simple input information. These calculators have been developed to cover the majority of Phase One industrial sectors and processes affected by the bylaw. They are currently being piloted with facilities through surveys and on-site consultations, and will be available online by late 2010.

Other program supports available to facilities include a technical assistance program developed in partnership with Economic Development and Partners in Project Green (PPG). This program will help an estimated 200 facilities gather information to determine if they are required to report through the bylaw and provide options for greening their facilities. Online modules developed to help explain the program, reporting and data tracking are currently in development, to be launched late 2010 and early 2011.

Both Toronto Health Connection and the ChemTRAC staff regularly answer questions about the program by email and phone.

Data Reporting, Management and Disclosure

As part of the ChemTRAC program, TPH has allocated capital funds from mid-2009 to mid-2011 to develop a new website and web-based data reporting, management and disclosure system. This system includes several key features:

- a website that provides facilities with guidance documents, chemical estimation calculators, e-learning tutorials and other information to help them determine their use and emissions of priority chemicals and identify greening options;
- a secure online data reporting system for facilities to electronically submit their data;
- a database that will enable TPH to analyse and manage the collected information; and
- a searchable website which will allow the public to view the data in many ways, such as by lists of chemicals or facilities and via neighbourhood maps.

TPH continues to work with Environment Canada (EC) to implement the reporting and data management system. However, our initial plan to allow facilities to directly use the OWNERS system for reporting is not feasible at this time. EC informed TPH in late 2009 that it was not able to meet TPH's needs to have a functional system in time for 2011 reporting, due to delays in an OWNERS redesign and unanticipated federal government

directives such as a greenhouse gas reporting program. TPH is therefore developing its own data reporting system that will be easy and secure for facilities to use, and will be operational in January 2011.

Under Toronto's system, facilities will be able to submit data via the City's website between January 1 and June 30 each year, beginning in January, 2011. A facility will login to a secure website using a unique City-issued user code, and submit chemical data and an optional contextual statement on their environmental activities. Once the reporting deadline has passed, TPH will analyze the submitted information, clarify data with facilities as needed, and post the data and summary reports online before the end of the year. The public, including workers and facility operators, will be able to search and view information from current and previous years.

Toronto's online reporting system and OWNERS will provide weblinks to each other. These web links will simplify reporting for facilities that also report to Environment Canada for the National Pollutant Release Inventory (NPRI) and the Ontario Ministry of Environment as required by the *Toxics Reduction Act*.

TPH and EC are currently negotiating an agreement intended to guide ongoing collaboration and improve the delivery of the ChemTRAC program and the NPRI in Toronto. The agreement will support continued exploration of ways to streamline reporting to enable facilities to submit data through a common system such as OWNERS. It will also support joint communication with facilities and the public, development of technical compliance resources, and an exploration of collaborative data exchange, review and disclosure.

Greening Business

An important component of the ChemTRAC program is to encourage facilities to reduce their use and release of toxic chemicals. To do this, a 'Greening Business' component is being developed to help facilities take advantage of the options available to them. One of the first activities to develop this component included sponsorship of film camp students through the Planet in Focus Outreach Youth Camera Action program. Two short films highlight green business success stories. One film gives an overview of ChemTRAC and the printing industry. Students interviewed the City's own print shop and another print shop about their greening efforts. The second film focuses on the green strategies and solutions of a local furniture manufacturer and green leader. These films were screened at the international film festival, are used during program presentations and will be placed on the ChemTRAC and Live Green websites.

Future Work

The next steps for the program include the development of a greening recognition program aimed at helping build capacity of small to medium sized enterprises. This program will be primarily web-based through online learning modules. These modules will be tested with facilities and developed iteratively throughout 2011.

Along with the development of the greening aspect of the ChemTRAC program, in 2010 education and outreach activities will be geared towards preparing Phase Two sectors for the bylaw. This will involve similar activities conducted in 2009 aimed at the Phase One facilities, such as a direct mailing and breakfast seminars. Also in 2010, TPH is developing more chemical use and release calculators, pilot testing resources and consulting with stakeholders on ways to publicly disclose the information reported under the bylaw.

In conclusion, 2009 was a successful year that laid the essential groundwork and partnerships to set the program up for continued success in the coming years.

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