TORONTO STAFF REPORT

January 4, 2005

To: Board of Health

From: Dr. David McKeown, Medical Officer of Health

Subject: Community Right-to-Know Strategy for the City of Toronto

Purpose:

To report on the Toronto Cancer Prevention Coalition case study on public access to information on toxic substances in the South Riverdale/Beaches community, and to ask the Medical Officer of Health to report on Community Right-to-Know strategies for the City of Toronto.

Financial Implications and Impact Statement:

The adoption of this report will not require new resources.

Recommendations:

It is recommended that:

(1) the Medical Officer of Health report on practical and effective Community-Right-to-Know strategies to increase public access to information on toxic substances in Toronto, including consideration of the feasibility of a Community Right-to-Know bylaw, in consultation with appropriate City Departments and community stakeholders; and

(2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Background:

In 2000, the City Council endorsed the Environmental Plan. The Plan recommended that the City develop a Community Right-to-Know By-law that empowers community members to know the location, sources and health effects of toxic chemicals in their community.

As a follow-up, at its meeting of November 7, 2002, the Board of Health received a report summarising the discussion from the May 1, 2002, Toronto Cancer Prevention Coalition Round

Table. The Board recommended that the Sustainability Round Table work with the Toronto Inter-departmental Environment Team (TIE) and the Office of the Chief Administrative Officer (CAO) to develop a right-to-know strategy as a priority under the City's Environmental Plan.

This report provides an update on the work on right-to-know that has been undertaken by the City, presents the results of a case study undertaken by the Occupational and Environmental Carcinogens Working Group of the Toronto Cancer Prevention Coalition, and makes recommendations for future direction.

Comments:

Community Right-to-Know (CRTK) is a concept that supports open governance including community participation in decision-making. In the last 20 years, CRTK has become a cornerstone of environmental policy in many countries. The National Pollutants Release Inventory (NPRI) and the Workplace Hazardous Materials Information System (WHIMIS) are examples of two schemes that were developed to improve access to information on chemicals in Canada.

NPRI is a federally legislated inventory of information on annual pollutant releases to air, water, land and disposal or recycling from industrial, government, commercial and other sectors. The NPRI also includes data collected under provincial regulations and is accessible on the Internet.

WHMIS places an onus on employers to ensure that products used, stored, handled or disposed of in the workplace are properly labelled, material safety data sheets (MSDS) are made available to workers, and workers receive education and training to ensure the safe storage, handling and use of hazardous products in the workplace. It is implemented through co-ordinated federal and provincial legislation.

CRTK may protect human health and the environment in several ways. Public disclosure has been found to encourage proactive improvements by businesses and institutions. CRTK can help individuals make reasoned decisions and take informed action concerning their employment and living conditions. It is a way to track progress in the reduction of pollutant releases into the environment. In addition, it can assist in research into the link between health and the environment and provide data to help in the health impact assessment related to certain facilities.

Environmental Information System:

Toronto Public Health commissioned a feasibility study of the development of an environmental geographical information system (GIS) for the City of Toronto. This study identified the current GIS initiatives in the City, and compiled an inventory of existing environmental and socio-economic information. The study identified three options for an environmental GIS application from a simple collection of data to an information tool that provided indicators of progress in achieving certain environmental goals. The study pointed out that it was feasible and timely to develop an environmental GIS. The City could benefit by having a coherent framework for the collection of environmental data and, in the long run, such a system could provide better access to information. In 2003, City staff met to discuss the creation of an environmental GIS and

concluded that as a first step, the City would need to improve its collection and management of environmental information. A working group comprised of TIE members is currently considering the usefulness of a City environmental information system.

Toronto Cancer Prevention Coalition Case Study:

The Occupational and Environmental Carcinogens Working Group of the Toronto Cancer Prevention Coalition assessed the ease of access to information on chemicals, in particular substances associated with cancer, for residents and workers in the South Riverdale and Beaches neighbourhoods of Toronto (Attachment 1). The Working Group presented the results of this case study at TIE on October 20, 2004.

The Working Group case study found that it was difficult for residents to find information on toxic chemicals that are present in their neighbourhood. Although sources of information, including NPRI and WHIMIS, exist, the information is scattered, incomplete and difficult to access and understand. For example, only companies that exceed certain thresholds for use or release of chemicals are required to report under the NPRI. In addition, individuals in smaller workplaces were less aware of best practices that could help reduce exposure to chemicals.

The Working Group makes the following recommendations:

(1) Having an inventory of the storage, use, disposal/release of hazardous substances in City-operated facilities and workplaces, and making this information available to the public;
(2) Developing options for a Community Right-to-Know By-law, that would require companies and institutions to annually report use, storage and disposal of hazardous materials to the City and to the public;
(3) Making information on hazardous material use, storage, and disposal/release accessible to the public through a community-based, user-friendly online guide and searchable database;
(4) Creating incentives for industries to decrease their use of hazardous substances; and
(5) Designating a FTE to coordinate the development and implementation of the Community Right-to-Know Strategy.

Conclusion:

Increasing public access to information on toxic substances, a strategy known as Community Right to Know, can help protect human health and the environment. The City already makes some environmental information available to the public, such as drinking water and recreational water quality. However, as the Working Group study shows, this information is not easily found or understood by people in the community. There are ways in which the City could help make this and other information more accessible.

It is recommended that the Medical Officer of Health explore and report on practical and effective strategies for increasing public access to information on toxic substances in Toronto, including consideration of the feasibility of a Community Right-to-Know By-law. This would

be done in consultation with appropriate City Departmens and community stakeholders, including the Working Group, business, labour and environmental groups.

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List of Attachments:

Attachment 1: Development of a Community Right-To-Know Strategy for Toronto: Case Study in South Riverdale/Beaches Community, December 10, 2004 – Prepared by the Occupational and Environmental Carcinogens Working Group of the Toronto Cancer Prevention Coalition