

Torlys on Environmental, Health and Safety

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Ontario

Proposed amendments to air emissions standards

The Ontario Ministry of the Environment (MOE) has proposed amendments to O. Reg. 419/05 (Air Pollution – Local Air Quality). The amendments would, among other things, introduce new or updated emissions standards for nine contaminants: acrolein; benzene; 1,3 – butadiene; hexavalent chromium (and chromium and chromium compounds divalent and trivalent); dioxins, furans and dioxin-like polychlorinated biphenyls; manganese and manganese compounds; nickel and nickel compounds; polycyclic aromatic hydrocarbons; and uranium and uranium compounds. For each of the nine contaminants, the MOE would also establish new or updated Upper Risk Thresholds (URTs), emissions beyond which certain reporting requirements under O. Reg. 419/05 are triggered. The new standards would take effect five years after they are adopted, although the URTs would be immediately applicable.

The MOE is accepting comments on the proposed amendments until September 29, 2009.

For further information, please see www.ebr.gov.on.ca/ERS-WEB-External/displaynoticecontent.do?noticeId=MTA3MDkz&statusId=MTYwNzc3&language=en.

Ministry of Labour enforcement blitz

The Ontario Ministry of Labour (MOL) has announced an “enforcement blitz” for the month of September as part of the province’s Safe at Work Ontario blitz strategy. During September, MOL occupational health and safety inspectors will “focus on hazards involving disinfecting chemicals (such as chlorine), dry cleaning solvents, metalworking fluids and detergents.” According to the MOL, its inspectors will be assessing whether workers have been trained to properly handle hazardous chemicals; whether chemicals are stored safely and properly labelled; and whether protective equipment (such as respirators and eye-wash fountains) are available to workers. Many of the MOL inspectors will reportedly focus on hazardous materials used in workplaces, especially dry cleaning operations, metal fabrication shops, swimming pools, spas and healthcare facilities.

For further information, please see news.ontario.ca/mol/en/2009/08/blitz-targets-workplace-chemical-hazards.html.

Consultation on source protection plans

The MOE is currently conducting consultations on the development of source protection plans under the *Clean Water Act, 2006* (the Act). These plans, which are to be submitted to the MOE in 2012, will set out measures to reduce the threats to drinking water sources identified by the multi-stakeholder source protection committees that were convened under the Act. A recently published MOE discussion

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This bulletin is a general discussion of certain legal and related developments and should not be relied upon as legal advice. If you require legal advice, we would be pleased to discuss the issues in this bulletin with you, in the context of your particular circumstances.

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paper solicits feedback on, among other things, the minimum content requirements for source protection plans and the approaches to reducing risks posed by drinking water threats.

The MOE is accepting comments on the discussion paper until September 23, 2009. For further information, please see www.ebr.gov.on.ca/ERS-WEB-External/displaynoticecontent.do?noticeId=MTA2NjQ4&statusId=MTYwMDA4&language=en.

Canada

Anticipated regulations for managing municipal wastewater

On August 6, 2009, Minister of the Environment, Jim Prentice, announced the federal government's plans to issue new regulations governing municipal wastewater management. The regulations, which will be developed under the federal *Fisheries Act*, would reportedly set national performance standards and timelines, and monitoring and reporting requirements for the discharge of municipal wastewater effluents. According to Environment Canada, a draft of the regulations is expected to be released in December 2009.

For further information, please see www.ec.gc.ca/default.asp?lang=En&n=714D9AAE-1&news=46422558-BF86-483A-96C2-8AAAC036645C.

Screening assessments under Chemicals Management Plan

Environment Canada recently released the final screening assessments for 18 substances assessed as part of Batch 4 of the federal government's Chemicals Management Plan. Under this plan, the government has been performing scientific assessments of, and undertaking consultations with respect to, substances present in Canada that have not been previously assessed, in order to develop appropriate risk-management responses. Of the 18 Batch 4 substances, one substance, benzenamine, was found to pose a risk to the environment and was recommended for "virtual elimination" under the *Canadian Environmental Protection Act, 1999* (CEPA). Two other substances, dimethyl sulfate and diethyl sulfate, were found to pose a risk to human health. The federal ministers of Environment and Health recommended that all three substances be added to CEPA's list of toxic substances. However, the government is accepting comments on the risk-management approaches for the Batch 4 substances until September 29, 2009.

For further information, please see www.ec.gc.ca/default.asp?lang=En&n=714D9AAE-1&news=0FB9245D-EF55-4367-B5DF-2522AF6C32F6. 