

**TOXICS REDUCTION ACT, 2009
AND ONTARIO REGULATION
455/09**

**AWMA-OS CONFERENCE
October 6, 2010**



OUTLINE

- Toxics Reduction Strategy
- Toxics Reduction Act, 2009 and Ontario Regulation 455/09
- Update on proposed requirements related to toxic substance reduction planners and policy proposal on enhanced planning
- Next steps



WHAT IS ONTARIO'S TOXICS REDUCTION STRATEGY?

- A new approach for reducing toxic substances by focusing on **inputs** (use and creation) versus outputs (what is leaving the facility), which complements existing “end-of-pipe” programs.
- Builds on success of **other jurisdictions**.
- **Balances** the need for businesses to have flexibility, with benefits that can be best achieved via a thorough planning process.
- Better positions **businesses to compete** in an increasingly green global economy.



HOW IS THE STRATEGY'S OBJECTIVE BEING ACHIEVED?

How will the strategy's objective be achieved?

Legislation and Regulation

- Sets out the requirements for toxics reduction accounting, planning and reporting by the manufacturing and mineral processing sectors.

Support for Industry and a Green Economy

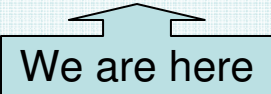
- Partnership with industry associations to position members for the new economy (e.g. "Cleaner and Greener Manufacturing" program).
- Assistance for SMEs to build their capacity and support the implementation of reduction strategies.
- Incentives to invest in green chemistry and engineering solutions (e.g. investing in GreenCentre Canada).
- Funding over 5 years for two research chairs in Green Chemistry and Engineering (Queen's and Trent).
- Recognizing those making significant contributions to the field of green chemistry and engineering (Ontario Green Chemistry and Engineering Awards).
- Proposed toxic substance reduction planners to certify plans and build the business case for toxics reduction opportunities.

Informing Ontarians

- Support informed choices through access to information on facilities' use, creation and release of toxic substances, progress in achieving toxics reductions, and contextual information on toxic substances.



STAKEHOLDER ENGAGEMENT AND MILESTONES

2007	2008	2009	2010	Future
<ul style="list-style-type: none"> • Premier announced a strategy to reduce toxics in Ontario 	<ul style="list-style-type: none"> • Toxics Reduction Scientific Expert Panel provides advice on the Strategy • Public consultation on Toxics Reduction Strategy 	<ul style="list-style-type: none"> • Legislature debates the Bill, also subject to public comment • Toxics Reduction Act receives Royal Assent in June • Public consultation on proposed regulatory requirements related to substances, accounting, planning and reporting • O. Reg. 455/09 is filed in December 	<ul style="list-style-type: none"> • Toxics Reduction Act and O. Reg. 455/09 come into force in January. • Compliance information sessions in January and February • Consultation on the proposed “toxic substance reduction planner” regulation, enhanced planning policy proposal and information on technical amendments • Green Chemistry and Engineering Chairs & Awards • Technical training sessions in June • Partner with industry to deliver training and assistance programs <div data-bbox="1272 1398 1541 1490" style="text-align: center;">  <p>We are here</p> </div>	<ul style="list-style-type: none"> • Guidance materials • Industry Assistance Program • Annual Minister’s Report on progress in implementing the Act

TOXICS REDUCTION ACT, 2009

TOXIC SUBSTANCES

- Require prescribed facilities that use, create or release toxic substances to:
 - Undertake toxic substance accounting
 - Prepare and regularly review a toxic substance reduction plan
 - Report to the government and the public

SUBSTANCES OF CONCERN (Not yet proclaimed)

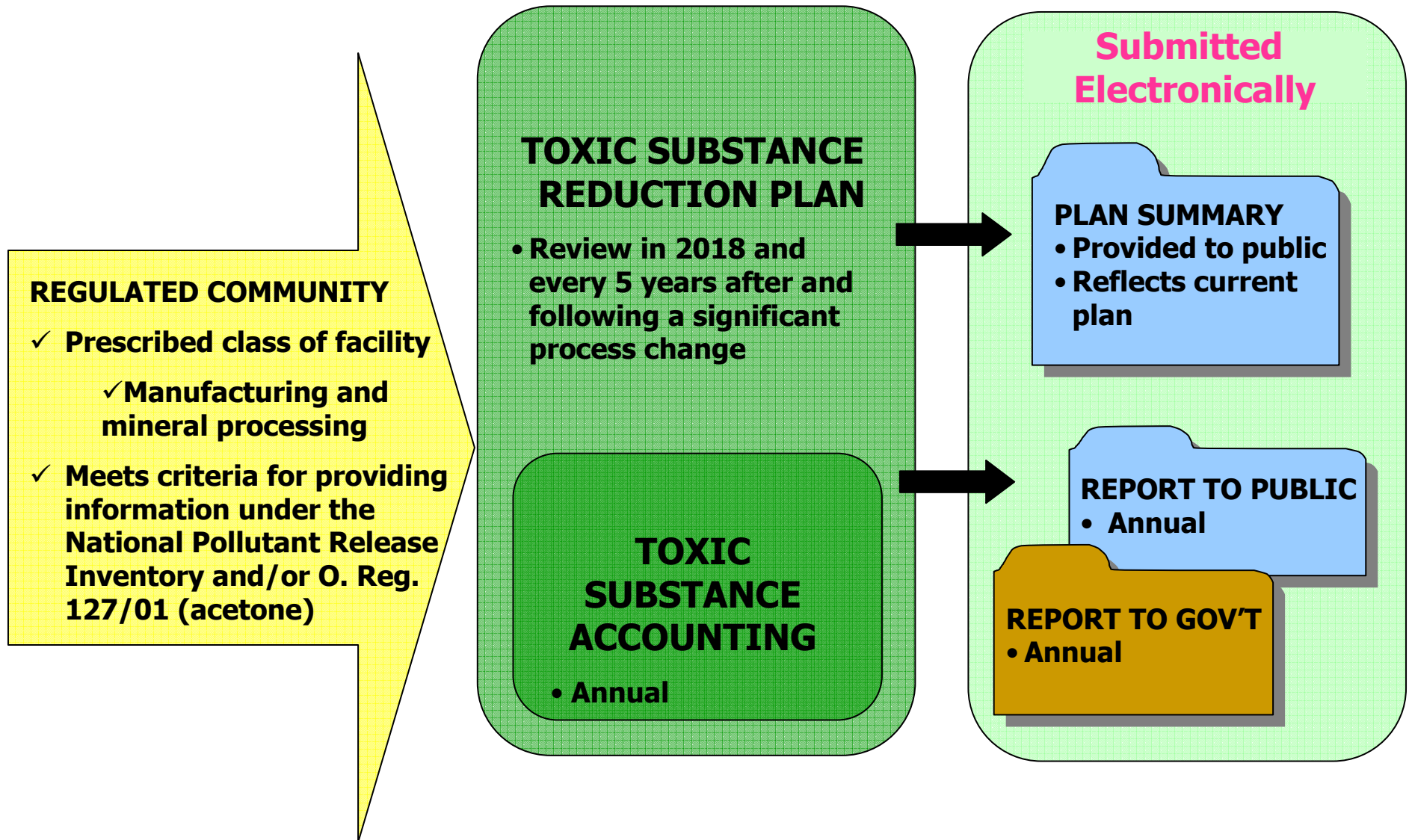
- Require facilities that use or create a substance of concern to submit a report

CONSUMER PRODUCTS (Not yet proclaimed)

- Authority to make regulations concerning consumer products
 - Preferred approach is to rely on the federal government to take action
 - If Ontario regulations are necessary in the future, development would require public consultation



TOXICS REDUCTION ACT AND O. REG. 455/09



PROPOSED NEW REGULATORY REQUIREMENTS FOR TOXIC SUBSTANCE REDUCTION PLANNERS

TOXIC SUBSTANCE REDUCTION PLANNERS

- Using a broad, cross-disciplinary approach, the role of the planner is to:
 - Certify that the plan complies with the legal requirements; and
 - Provide recommendations to facilities that assist in identifying toxics reduction options, building the business case for action, and further encouraging facilities to implement their plans
- Proposal is for plans to be certified by licensed planners who must meet the education and/or work qualifications, take a course, pass an exam and pay for the licence.

UPDATE:

- Ministry is considering the comments received through the Environmental Registry (April 1 to May 17, 2010 / Registry #: 010-9349) and during the consultation sessions held earlier this year.



POLICY PROPOSAL ON ENHANCED PLANNING

What is enhanced planning?

- A toxics reduction planning process that builds on the expertise and experience found in the workplace.

Considerations that guided the preparation of a policy proposal:

- Comments and advice provided by stakeholders and the public
- Build on existing approaches with a proven track record (e.g. Massachusetts and New Jersey)
- Ensure flexibility to accommodate diverse types of facilities

UPDATE:

- Ministry is considering the comments received through consultation on enhanced planning and will develop a proposal at a later date.



NEXT STEPS

REGULATION DEVELOPMENT

- Finalize regulatory requirements related to toxic substance reduction planners.

PROGRAM IMPLEMENTATION

- Provide assistance to industry, including guidance documents.
- Further support for innovation in green chemistry and engineering.
- Train toxic substance reduction planners, pending new regulatory requirements.



QUESTIONS?



FOR FURTHER INFORMATION

Ontario's Toxics Reduction Strategy

<http://www.ene.gov.on.ca/en/toxics/index.php>

To receive updates and notifications related to the *Toxics Reduction Act, 2009* and O. Reg.455/09, please subscribe to our email newsletter at <http://www.ene.gov.on.ca/en/mailing/subscribe.php>

For general information on the Act and regulation you may contact the Ministry's Public Information Centre at **1-800-565-4923** or in Toronto at 416 325-4000 or email picemail.moe@ontario.ca.

For information on the NPRI, please refer to:

<http://www.ec.gc.ca/inrp-npri/default.asp?lang=En&n=4A577BB9-1>

