

Environment Canada/ Health Canada  
Preparations for the Parliamentary Committee Review of CEPA 1999  
Regional Workshop Series

January 24, 2005 Holiday Inn Harbour View – Dartmouth – Nova Scotia

Notes Taken at the Daytime Session  
by: James W. White.

### **Winter in Nova Scotia**

Environment Canada/Health Canada, (EC/HC) had arranged for two sessions, daytime and evening at the Holiday Inn in Dartmouth for Monday 24<sup>th</sup> January 2005. However, the third severe winter storm in a week hit the Halifax-Dartmouth area in the early hours of Sunday 23<sup>rd</sup> January. The storm with a very heavy snowfall and high winds continued until the afternoon of Monday 24<sup>th</sup> January. The area was effectively closed down on Monday 24<sup>th</sup>; all flights to and from the Halifax Airport were cancelled, schools, universities, businesses and government offices were closed, and public transit buses were taken off the road for over twenty-four hours.

#### **Attendance.**

Those who managed to get to the meeting were either resident in Halifax or had travelled on Saturday 22<sup>nd</sup> January to ensure their arrival.

From the public there was a total of four participants - 3 from ENGO's, 1 independent environmental consultant.

From government there was one – RCMP (Coastal and airport).

There were no representatives from business and industry.

Because flying to and from Halifax had not yet resumed, Cynthia Wright, Director General, Environment Canada, Strategic Directorate and Paul Glover, Director General, Health Canada, Strategic Priorities Directorate were unable to travel from Ottawa but it was decided by the facilitator in consultation with Peter Farrington of EC to go ahead with the program with the aid of a speaker phone through which Cynthia Wright and Paul Glover could make their presentations and respond to questions. This decision was made at 9:45 when there was still the hope that Cynthia Wright and Paul Glover could perhaps arrive during the day and the evening session go ahead as planned.

However, by 12:00 in the middle of the daytime session, it was clear that the evening session should be cancelled and the decision was made in Ottawa to reschedule a meeting in Halifax for 7<sup>th</sup> February.

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#### **A. Getting Started / Context**

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## **Welcome.**

This section was presented by Peter Farrington (EC) and accompanied by the first of three sets of power point slides.

Participants raised questions and offered comments with respect to public input:

- there seemed to be very little publicity about the workshop
- the *Scoping the Issues* booklet was seen for the first time by some of the participants
- with 11<sup>th</sup> February 2005 set for the deadline for receipt of submissions by EC, the timelines were very tight.
- ENGO participants were pleased that there was ENGO representation in the Advisory Committee.

Peter Farrington acknowledged that the timelines were tight but explained that work in development had been somewhat delayed by preparations for the new sustainability table initiative. It was further explained that the timelines were necessary to meet the parliamentary agenda.

Further concerns about input centred on the Parliamentary Committee Stage:

- professional lobbyists from well funded business interests would likely have a strong presence at the parliamentary committee
- will there be provision for ENGO representation at the parliamentary committee stage?

In reply it was explained that there would be opportunity to present at the parliamentary committee.

## **Agenda Review.**

We adjusted the original agenda only slightly. The entire group gathered around one table with the speakerphone in the centre and we were able to combine the sections of the agenda that had been planned as small group sessions and plenary sessions.

## **Context for the Workshop.**

Paul Glover made the presentation over the speakerphone while the second set of power point slides were projected.

## **Open Forum Q&A.**

Questions and comments arose with respect to the goal of creating a renewed CEPA that contributes to a Sustainable Environment, Healthy Canadians and a Competitive Economy.

- what is meant by the term “competitive economy”?

- can a renewed CEPA work so that economic interests, often short term and concentrated do not trump health and environmental considerations that are often diffused and longer term?

Cynthia Wright responded by referring to the Minister's speech of 10<sup>th</sup> September 2004 in Calgary to the effect that a healthy economy requires a healthy environment and healthy people – there is also a chicken and egg here – a prosperous economy can support health in the environment and the people.

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## **B. Dialogue on HC/EC CEPA 1999 Issues and Options**

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### **Framing the Debate.**

Cynthia Wright presented via the speakerphone while the third set of power point slides were projected.

### **Open Forum – Q&A.**

Questions and comments by slide.

Slide 1. Knowledge for Protecting Human Health & Environment

- socio-economic knowledge is also required to protect people from risks
- academics are asked their opinions but why not the native people and the poor?
- are there funds for science and technology research and how much of it goes to aboriginal and reserves issues?

Cynthia Wright: CEPA forces government to collect data. CEPA belongs to more than the government. CEPA is enabling legislation. \$ figures spent on research can be obtained – about \$30 million last year I believe – this is general.

- in reviewing CEPA where is the information of how pollution has decreased?

Cynthia Wright: There is trend data on toxics but evaluators cannot say that falls are due to CEPA.

- does CEPA rely on Health Canada for data?
- is there data for First Nations used?

Paul Glover: HC does provide data on human health and also works with DIANA and native issues.

Cynthia Wright: There is lots of consultation with native groups

Slide 2. Tools for Taking Action.

- of the list of tools, voluntary instruments such as codes of practice seem to be emphasized more than regulations – are their effectiveness is questioned
- do we have the right kind of tools and are they being used properly?

- overlapping or unclear jurisdictions with other federal departments has led to issues not being properly addressed e.g. ocean dumping and the protection of shores and estuaries
- overlapping or unclear jurisdictions in the Federal Government make the citizen input that is encouraged by CEPA difficult in practice
- codes of practice developed in consultation with industry has tended toward emission standards being set at those currently in reach
- harmonization with the provinces through the development of Canada Wide Standards for emissions of toxics needs to be carried through to the implementation stage and include the reporting of effectiveness
- CWS's are implemented by the provinces and implementation is inconsistent – electrical power generators have special status in some places
- in addition to pollution prevention is their environmental remediation?

Cynthia Wright: Yes, we do address remediation.

Slide 3. Fair and Efficient Compliance Promotion and Enforcement.

- does EC use CEPA's wide range of compliance and enforcement tools?

Cynthia Wright: This area has received new money. We know that we have more to do in this area.

Slide 4. Information for Canadians.

- CEPA has mechanisms to provide information such as NPRI and CEPA Registry but have resources and political will been available to make further improvements?
- there is a need for one-stop shopping approach so that for example, data on greenhouse gases emitted are available on line with the NPRI
- effective public participation requires information – there is suspicion that government departments do not share with each other information much of which is pertinent to the environment.

### **Small Group Discussion.**

The five participants without the facilitator and EC members had a wide-ranging discussion that covered several themes and all the questions listed by EC to be considered. Issues discussed were not confined to scoping for a review of CEPA but included Federal Government approach to environmental protection in general including meeting international obligations under Kyoto and the Stockholm POP's Convention. Problems with environmental aspects of Canada's international trade agreements under WTO and NAFTA were also discussed in the context of business/economic interests trumping environmental, health, and social justice considerations.

## **Plenary Sharing.**

The facilitator joined the five participants, and Cynthia Wright and Paul Glover were again available on the speakerphone. The small number of participants made for a very free and unstructured discussion. Topics, suggestions and questions included:

- need for an overarching agency within the government to better manage overlapping mandates and establish clear accountability
- need for whistle-blower protection for government and private sector employees in bringing attention to environmental problems
- for effective implementation there need to be targets; measurement, verification and reporting of results
- the precautionary principle should be used to shift the onus of proof onto those who would introduce new chemicals, genetically modified organisms, processes, etc., for their safety and not be upon government to establish that they are dangerous
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