

October 15, 2018

The Hon. Catherine McKenna
Minister
Environment and Climate Change Canada
200 Sacre-Coeur Boulevard
Gatineau, Quebec
K1A 0H3

The Hon. Ginette C. Petitpas Taylor
Minister
Health Canada
House of Commons
Ottawa, Ontario
K1A 0A6

Transmission:

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Dear Ministers McKenna and Petitpas Taylor:

Re: Amending the Canadian Environmental Protection Act, 1999

The undersigned organizations attach to this letter selected amendments to the *Canadian Environmental Protection Act, 1999 (CEPA)*. We have undertaken this work because of the need for sound federal environmental law reform that addresses control of toxic substances, including carcinogens and endocrine disrupting substances, which pose serious risks to the health and well-being of present and future generations of Canadians and the natural world. We also have undertaken this work for the following additional reasons:

1. *CEPA* is long overdue for reform and further delay that could last years before a Bill is introduced is not in the public interest;
2. The proposed amendments focus on several key areas in major need of reform that were identified by the Standing Committee on Environment and Sustainable Development, including areas the Government appears to have rejected, or remains uncertain about;
3. The proposed amendments can be of assistance in the Government's on-going work in addressing matters such as the future structure of the Chemicals Management Plan (CMP) and protecting vulnerable populations; and
4. The proposed reforms are supported by diverse groups across the country.

Many of the undersigned organizations participated in the hearings on review of *CEPA* that took place throughout 2016 before the Standing Committee. We hoped for timely adoption by the Government of the 2017 recommendations made by the Standing Committee for reforming *CEPA* that resulted from that process.

Unfortunately, while the Government's June 2018 response to the Standing Committee made some positive statements about future reform of the law in certain areas, it rejected other key reform proposals. Furthermore, the timeline for bringing amendments forward

as expressed in the Government response appeared very uncertain due to statements contained in the response which suggested: (1) “the Government will work towards legislative amendments as soon as possible in future Parliamentary sessions”; (2) that reforms to the Act on toxic substances, if needed, will be shaped by the outcome of the CMP post 2020 review process, which will continue into at least 2019; and (3) reform proposals may be preceded by a further multi-stakeholder consultation process.

While we strongly support maximizing consultation opportunities, we also support timely action to address long understood but neglected problems with *CEPA*, a law that has not been significantly amended in two decades.

In this spirit, the undersigned are attaching proposed amendments to *CEPA* that we trust will expedite getting a robust Government Bill before Parliament much sooner than might otherwise have been the case on issues such as: (1) control over endocrine disrupting substances; (2) protection of vulnerable populations from toxic substances; (3) substitution of safer alternatives for toxic substances; (4) establishment of enforceable national ambient air quality standards; and (5) civil enforcement of *CEPA* by the public. Each issue noted above was raised by various witnesses appearing before the Standing Committee and supported in the Committee’s 2017 report. The attached amendments simply put into statutory language principles supported by the Committee.

We trust the attached will be of assistance to the Government in moving rapidly to introduce in this session of Parliament a reformed *CEPA* meeting the environmental health needs of all Canadians.

We would be pleased to meet with you to discuss the proposed amendments if that would also be of assistance.

Yours truly,

CANADIAN ENVIRONMENTAL LAW ASSOCIATION

A handwritten signature in black ink, appearing to read 'T. McClenaghan', written over a faint rectangular box.

Theresa McClenaghan, Executive Director and Counsel

Supporting Organizations



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 Les Ami(e)s de la Terre

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Georgia Strait Alliance

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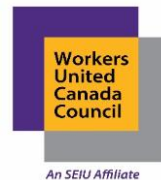
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