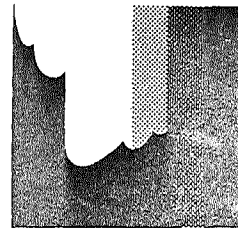


Canadian Environmental Law Research Foundation
La Fondation canadienne de recherche du droit de l'environnement



8 York Street, 5th Floor South, Toronto, Ontario M5J 1R2, telephone (416) 366-9717

CELR/FCRDE

October 23, 1980

Dr. Peter Rodgers and
James A. Armstrong
Hazardous Waste Management Division
Waste Management Branch
Environment Canada
Environmental Protection Service
Place Vincent Massey - 14th Floor
Ottawa, Ontario
K1A 1G8

Dear Sirs:

Re: Hazardous Waste Management
Contract #KE 204-9-0374

I am enclosing the final report arising out of the above contract. Changes in this report are based in part on comments from members of the Task Force on Hazardous Waste Definition that have been forwarded to me. Changes also reflect certain key events that have transpired since submission of the preliminary report in March 1980.

I understand that this report, either by itself or with other submissions to the Task Force, is to be published by Environment Canada as part of the EPS technical report series. I would appreciate notification of this publication when it is available. I would advise that this report in slightly modified form has been accepted for publication as a law review article in the December 1980 issue of the Canadian Environmental Law Reports (CELR). Appropriate credit to Environment Canada respecting financial assistance will appear in the article as well as a disclaimer advising the reader that views expressed therein do not necessarily reflect the views of either Environment Canada or the Task Force. I should be pleased to forward a copy of the article to your office when it is published.

I would appreciate it if your office could in the interim advise me of the current status of either Task Force or Environment Canada activities respecting hazardous waste management.

.../2

Dr. Peter Rodgers and
James A. Armstrong
October 23, 1980
Page 2

Once again, I would like to thank your office for the opportunity to contribute to the work of the federal government in this area.

Yours very truly,

CANADIAN ENVIRONMENTAL LAW RESEARCH FOUNDATION

J.F. Castrilli

JFC/fc

Enclosure

COMMENT

Hazardous Wastes Law In Canada And Ontario: At The Skull and Crossroads
by Joe Castrilli*

I. INTRODUCTION AND BACKGROUND

In the late 1970's, the Canadian Council of Resource and Environment Ministers increasingly perceived the need for action to deal with the environmental and health problems posed by toxic and hazardous wastes.¹ In October 1978, a federally sponsored workshop in Toronto, resulted in the decision by federal, provincial and industrial representatives to establish a Task Force to begin initially concentrating on the problem of hazardous waste definition in anticipation of subsequent comprehensive management of such wastes at the appropriate government level.

This summary comment on existing and prospective federal and Ontario programs addresses not only the problem of hazardous waste definition but problems of coordination between levels of government; legislative/regulatory control gaps within each level of government; problems in the flow of scientific/technical information to those expected to develop regulatory programs; and the roles of the public and industry. It concludes with recommendations for new directions in government legislation and policy in this area.

II. THE NATURE OF THE ENVIRONMENTAL AND HUMAN HEALTH PROBLEMS ASSOCIATED WITH HAZARDOUS WASTES

The federal government estimates that at least 32,000,000 tonnes of industrial wastes are generated annually in Canada (excluding agricultural, mining and pulp and paper wastes). Of this quantity, 3%, or approximately 1 million tonnes, are regarded as toxic or hazardous.²

*Associate Editor, CELR, and Research Director, Canadian Environmental Law Association.
Editor's Note: This article, in somewhat modified form, was prepared under contract to the Hazardous Waste Management Division, Environment Canada, Ottawa and submitted in March 1980 as a contribution to the work of the Federal Task Force on Hazardous Waste Definition. Views expressed here are those of the author and not necessarily those of the Department or the Task Force.