



Canadian Environmental Law Association
L'Association canadienne du droit de l'environnement

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

January 28, 1982

John Kruger
Chief Administrative Officer
The Municipality of Metropolitan Toronto
Toronto City Hall
Toronto, Ontario

Dear Mr. Kruger:

Enclosed is an application for funding for \$9,000.00 for the Canadian Environmental Law Association (CELA). The Municipality of Metropolitan Toronto has given us support from 1975-1980, but did not renew that support last year. We hope that your committee will reconsider our circumstances this year. We have enclosed a summary of our activities in the past year and an outline of how we intend to utilize any support you may give us in the coming year. On behalf of our Board of Directors, I would like to thank you for the renewed opportunity to submit this request.

Yours truly,

CANADIAN ENVIRONMENTAL LAW ASSOCIATION

Douglas Edward

Douglas Edward
President

DGE/afc
Encl.

cc: Mr. Tony Brooks
Treasury Department
Municipality of Metropolitan Toronto

- Rent - contingency
grant when all
decisions made
Virginia - add salary
for student

→ No financial reports.

50727 Mississauga
... will be
back to 2050
on Mississauga
PCE ongoing, whether
should have been used
AA 1

RICK WOODS
DOUG EDWARD
DEBBIE BISSON

Law Assoc? - summary
Annual mtg.
... ..

APPLICATION FOR FUNDING
from
THE MUNICIPALITY OF METROPOLITAN TORONTO - 1982

The Canadian Environmental Law Association (CELA) receives funding from the Ontario Legal Aid Plan to operate a legal clinic which provides free legal advice and representation for all the citizens of Ontario. Other equally important functions of the Association are the areas of law reform, public education and the operation of a resource centre. CELA looks to outside sources for grants to assist in carrying out these three mandates. A report of the activities in these three fields and our plans for the next year will be detailed.

First, we would like to draw your attention to a case which we feel has a major impact for the citizens of Metropolitan Toronto, since our potable water supply is drawn from Lake Ontario.

The Hyde Park Landfill Case

In a pioneer case, CELA intervened and obtained amicus curiae (friend of the court) status in U.S. District Court in the proposed settlement agreement between the U.S. government, New York State and Hooker Chemical in regard to the Hyde Park Landfill site located on the Niagara River directly across Lake Ontario from Toronto. The 80,000 tons of hazardous waste in this site includes 2,000 lbs. of dioxin which is one of the most deadly chemicals known. Canadian scientists found chemicals from this site have made their way into the Niagara Gorge and are leaching into the river and Lake Ontario. Some seventy working days and eight days in hearings have been spent to date on this case. The citizen groups involved in funding this intervention are unable to pay for all of the costs involved in the case and we are attempting to raise outside funds to cover these costs. Some of the funds we have asked for from you would be used to cover this short fall of approximately \$1,000.00.

LAW REFORM

A good body of law is essential to ensure the health of the environment. This law has to undergo change and reform to keep up with the sophisticated technological changes in our society. The following is an account of the deputations and briefs CELA has done in the past year to carry out this mandate of research and law reform:

- a) "Three Mile Island: You Ain't Heard Nothin' Yet" by Laura Paull. Submission to the Canadian Forum Magazine, February, 1981.
- b) Submission to the Standing Committee on Resources Development on the South Cayuga Liquid Industrial Waste Facility: Policy Considerations by J. F. Castrilli, January, 1981.
- c) Submission to the City of Toronto Neighbourhoods' Committee on the Siting of Nuclear Power Plants: The Environmental Assessment Act and the Darlington Nuclear Generating Station by Toby Vigod, February, 1981.
- d) Hazardous Wastes Law In Canada and Ontario: At the Skull and Crossroads by J.F. Castrilli, December, 1980.
- e) A brief to Professor Paul C. Weiler on Recognition of Occupational Diseases by Michael Izumi Nash, March, 1981.
- f) Submissions to the Standing Committee on Justice and Legal Affairs with respect to Bill C-43: An Act to Provide for Access to Government-held Information on behalf of CELA by Heather Mitchell, March, 1981.
- g) Submissions to the Justice Committee on Bill 89: The Consolidated Hearings Act 1981 by J.F. Castrilli and G. Patterson, June, 1981.
- h) Submission to the Land Use Committee of the City of Toronto regarding the STOL service proposed for the Toronto Island Airport by Robert Timberg, February, 1981.
- i) Submission to the Royal Commission on Matters of Health and Safety Arising from the Use of Asbestos in Ontario by Robert Timberg, February, 1981.

- j) "Toxic Chemicals Control in Canada: An Analysis of Law and Policy" by J.F. Castrilli, March, 1981.

A portion of your funding would help us continue to address and improve the state of our environmental laws in this way.

PUBLIC EDUCATION

CELA has participated in the following seminars and speaking engagements in 1981. Where known, the approximate number of people in attendance at each seminar or speaking engagement is indicated.

- a) CELA and the Canadian Environmental Law Research Foundation (CELRF) held a two-day seminar on the legal and policy mechanisms for control of toxic chemicals on June 15-16, 1981. As part of CELA/CELRF's longer term toxics project, 22 participants from across the country met in Toronto to discuss 6 major issues in this field. CELA prepared a background paper for the Roundtable, which is now a leading work on toxics policy and law in Canada. The proceedings were edited and 200 copies were distributed to the participants, government and other interested parties.
- b) A University of Toronto Chemistry 100 class was addressed on January 28, 1981, about the South Cayuga situation, dioxin and the political aspects of environmental issues. (30 people).
- c) An Osgoode Hall Law School class was addressed on February 18, 1981 on strategies for citizens' groups and the limitations of the legal system in delivering justice. (30 people).
- d) The Canadian Bar Association's Institute on Continuing Legal Education was addressed on April 3, 1981, on the Federal Environmental Assessment Review Process. (approx. 100 people).
- e) The Canadian Bar Association's 1981 Annual Institute on Continuing Legal Education was addressed on April 3, 1981

on Practice and Procedure Before the Ontario Environmental Appeal Board. (approx. 100 people).

- f) A Grade 12 high school class was addressed on April 16, 1981 on the drawbacks of present legislation and the work that CELA does in the environmental law field.
- g) A CELA lawyer acted as a resource person at a seminar which was part of an "Introducing the World" conference for high school students, on April 22, 1981. The seminar was called "Global Values for the '80s: What Price Security".
- h) A University of Toronto Faculty of Education class was addressed on July 22, 1981 on waste disposal sites and problems under the Environmental Protection Act in relation to these sites, as well as on the planning process in general and as it relates to CELA's cases.
- i) A CELA lawyer spoke at a Law Society lecture series on October 24, 1981 on preparing the intervenor's case under the Environmental Assessment Act.
- j) A CELA lawyer spoke at a Law Union Conference on October 31, 1981 on CELA's intervention in the Hooker Chemical (Hyde Park) case. (50 people).
- k) A CELA lawyer spoke at the Law Union Conference on October 31, 1981 on CELA's prosecutions against The Honourable James Snow and against Cyanamid Canada Ltd. (50 people).
- l) A citizens' advocacy class at Osgoode Hall Law School was addressed on November 4, 1981 on the subject of liquid waste dumping in Cayuga and chemical dumping in the Niagara River. (30 people).
- m) A CELA lawyer participated in a seminar at the Ontario Institute for Studies in Education on November 13, 1981 on "development and Environment: Growth at What Cost?"
- n) A CELA lawyer spoke to an environmental law class at Osgoode Hall Law School on November 12, 1981 on CELA's prosecution against Cyanamid and the decision arising from it.
- o) CELA co-sponsored a seminar series on nuclear power with Calumet College of York University and the Consumer's

Association of Canada on the evenings of November 11th and 18th, and on Saturday, November 21. The topics discussed included nuclear physics and the history of Canadian involvement in nuclear research, the types and features of nuclear reactors, and the effects of low level radiation.

- p) CELA was instrumental in organizing an International Law Moot in which two teams of high school students, one from Canada and one from New York State, met in New York City. This moot took place before the International Court of Justice in the United Nations building in New York.

It is hoped that a moot on a larger scale can be repeated next year involving a larger representation from Metro and Ontario high schools.

A grant from Metro would enable CELA to pursue similar projects in the next year.

RESOURCE CENTRE

Each year CELA receives about 700 requests for information from the general public about the legal aspects of environmental matters. Many requests come from students who come into our offices to use our files and our library. We have endeavoured to give these students as much help as possible, but have found that our staff time is never adequate to meet these demands properly. We have begun to document many of our public education seminars on audio and video cassettes. We do not at the moment have a reel-to-reel tape recorder or a video monitor. We would like to use your funds to purchase this equipment for our library so that students could take advantage of these educational tapes. Some of the funds would go into enhancing our collection of tapes on areas of environmental concern. We feel this is a much more efficient use of our own resources and would be an invaluable tool for students and citizens in search of information on the complex environmental problems facing us today.

work done by second students I no more from legal office of these students after April
Low Level Radiation Science the Citizen

In conclusion, we would like to explain another problem which at this date (January 28th) is still only a possibility. Our organization has always managed to receive rent-free accomodation in its twelve-year existence, first at the University of Toronto, and then as the Association grew larger, we relocated in February 1980 to a Province of Ontario building at 8 York Street, where we've payed a nominal rental fee of \$2.00 per year.

We have been notified by Government Services that a new provincial policy states that nominal rents are no longer to be charged for space in provincial buildings and that the rent for our space would be \$31,000 per annum effective the next fiscal year - April 1, 1982 - March 31, 1983. We have applied for an exemption from this policy but to date we are unsure of whether we will receive it.

We have been put on notice by the Ontario Legal Aid Plan that should we have to pay rent they would only subsidize us at \$5.00 a square foot (gross) on a formula which allows 225 square feet per person.

I'm sure that you can appreciate that there is no space near to courts, tribunals and libraries, and easily accessible to the public for \$5.00 in or near downtown Toronto. We fear that the quality of service that CELA is now able to provide will be diminished if we are unable to obtain a further rental subsidy. We are willing to relocate.

We hope that we will have a clearer idea of our status in this building by the time we meet with you to discuss this application.

If you have any further questions on any aspects of our request, please contact our office manager, Sarah Miller, 377-9717.