Environmental Health Issues as an Environmental Lawyer

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- September 8, 2003
- Diploma in Environmental Health
- Did this program in 1998-1999 term
- Joined CELA May of 1998
- Intensive (was also finishing my LLM same term) but very valuable

Children's Health and Standard Setting

- Just as joined CELA, CELA took on a major study, "Standard Setting and Children's Health"
- Included extensive critique of risk assessment
- Used much of my work for diploma program in that chapter; continues to inform CELA

Pesticides Case Study

- That CELA study also included an extensive, in depth pesticides case study done by Kathy Cooper of our office
- The children's health study and CELA's long history in pesticides combined to result in a great deal of subsequent work at CELA

Pest Control Products Act

- For example, the Pest Control Products Act was long over-due for revisions and reform
- We used the risk assessment critique extensively in our submissions as to the content of the new Act and in submissions to federal Parliamentary and Senate standing committees

PCPA Regulations

- The PCPA was passed last year and will be in force next year after all of the regulations are developed
- We are now in the process of commenting on their proposals including issues like adverse effects reporting, sales data base, and reconsideration and reevaluation of registration decisions

Advisor to Federal Commissioner on Sustainability

- Federal Auditor General's Office
- Report to be released October 7th in the House
- Requested to sit on the External Advisory Committee because of CELA's work on the Children's Health Study, PCPA and other pesticides work

Opinion on municipal pesticide by-laws

- At around the same time I was asked by several groups to do an opinion on Ontario municipal ability to control pesticides by by-law
- While preparing that opinion, the Hudson case was given leave to go to the Supreme Court of Canada

Hudson v Quebec

- I represented 11 Interveners before the Supreme Court in this case which found that the Town of Hudson had the authority under its municipal legislation to pass a by-law controlling use of pesticides in the town

Ontario's new Municipal Act

- Soon after the Court's decision in Hudson, Ontario passed a new Municipal Act and I was called on to do a generic opinion to post to our web site about whether Ontario municipalities still have the ability to pass a pesticide by-law

Ontario municipal by-laws

- In the wake of the Hudson decision, dozens of Ontario municipalities began to work on pesticide by-laws
- CELA spoke to some, did the generic opinion and participated strategically such as on the Partnership for Pesticide By-laws, a group of environmental and health organizations

Court challenge to Toronto's by-law

- Since Toronto passed its by-law, Croplife has challenged the by-law in the Ontario Superior Court
- so far we are maintaining a watching brief on this issue

Mox Litigation

- Review of the MOX transportation plan and risk assessments
- Review of the MOX public consultation process
- Past experience in nuclear industry through litigation together with the environmental health perspective invaluable

Walkerton

- I was approached by the Concerned Walkerton Citizens right after the tragic events became known
- Drafted terms of reference to suggest for the Inquiry
- Acted for CWC with my colleagues for entire Inquiry

Advisory Committee on Source Protection

- After Justice O'Connor released his reports, which included 22 recommendations pertaining to water source protection (a major plank in our submissions to him), I worked with several other groups to urge the government to start the process on source protection
- As result was appointed to province's committee

Advisory Committee on Nutrient Management

- Similarly, after expressing concern and making submissions on the Nutrient Management legislation and related issues including source protection, am now sitting on this advisory committee to the province

Biosolids and septage phase-out

- Another issue on which I was preparing a generic legal opinion about municipal powers
- Related to source protection and nutrient management submissions
- On-going public health and environmental issue

Watershed source protection campaign

- A major part of my time at the moment is spent on pushing the source protection framework
- CELA has an action alert at www.cela.ca

Public legal education workshops

- Part of our mandate at CELA in addition to representation and law reform is public legal education
- Have several funded projects for water based workshops around the province

On-going work

- Risk assessments constant issue
- Public consultation constant issue
- Understanding of epidemiology basics
- Appreciation of hands on issues in survey design
- Ability to read a study
- Contributions to journal articles