



INTERVENOR

*Dedicated to environmental equity, justice,
health for over 50 years*

Time to Sunset "Forever Chemicals"

The toxicity, pervasiveness, and longevity of PFAS chemicals is the latest Canadian environmental nightmare.

We have all witnessed a long history of “miracle” chemicals going badly awry; DDT in the 1950s and 60s; PCBs in the 1970s; chlordane in the 1980s and 1990s; and, more recently, ozone-layer eating substances as well as climate-warming greenhouse gas emissions.

But along the way, until relatively recently, PFAS chemicals have largely flown under both the public’s and government’s radar. Not so much anymore.

In their latest blog post, CELA Counsel Joseph F. Castrilli and Senior Researcher Fe de Leon discuss the latest calls to action for federal regulation of PFAS, including a letter penned by 60 scientists and medical doctors calling on Canada to accelerate measures to assess and control PFAS chemicals.

[Read more here.](#)

Action Alert

Algoma Steel Inc Requests New Site-Wide Environmental Compliance Approval

Algoma Steel is proposing a transition to an electric arc furnace for its Sault Ste. Marie facility. However, the [current posting](#) provides no supporting detail or documentation on what is being proposed for the amendment to Algoma Steel’s Environmental Compliance Approval (ECA) for air and noise.

In September, CELA submitted a [formal objection](#) to the lack of detail, and urgently requested a new posting with supporting documentation and details about the proposal, along with a new deadline for public comment.

A presentation providing more information about the proposal is available on [CELA's website](#).

Algoma Steel's proposal to transition to an electric arc furnace is open for comments on the [Environmental Registry of Ontario](#) until November 4th.

Environmental decision making is much improved with public participation — we encourage you to comment!

Case Updates

Increasing Safety Concerns at CNL Facilities

Earlier this year, the Canadian Nuclear Laboratories Ltd (CNL) applied to renew the decommissioning licence for the Whiteshell Laboratories for a period of three years. CELA applied and was granted [intervenor status](#) at the hearing, which took place this month. CELA delivered [two oral submissions](#) at the hearing, outlining our concerns with the application, including non-compliance, shortfalls in safety procedures, and lack of public disclosure and transparency.

CELA also made a series of recommendations in response to the [Regulatory Oversight Report](#) (ROR) filed by CNL for 2023, which covers all of their facilities including Chalk River, Whiteshell, Port Granby, Port Hope, etc. The ROR reveals a concerning trend across multiple facilities in terms of fire protection, emergency readiness, and security issues - all of which point to a declining safety culture by the operator. CELA makes significant recommendations for improvement for the operator and the regulator.



Law Reform Updates

Revising the Project List under the Impact Assessment Act

The *Impact Assessment Act* (IAA) generally applies to the various types of major projects that are designated by regulations under the IAA (e.g., large mines, interprovincial pipelines, nuclear waste facilities, etc.).

In response to a [federal consultation](#) on proposed revisions to the current Project List, CELA recently filed a [detailed submission](#) which raises numerous concerns about the nature, rationale, and evidentiary basis for certain proposed changes. For example, CELA strongly opposes the ill-advised proposal that certain large-scale nuclear reactors and single Small Modular Reactors should be wholly exempt from impact assessment requirements under the IAA.

In our view, the construction, operation, refurbishment, expansion, and decommissioning of nuclear power facilities have considerable potential to adversely affect matters within federal jurisdiction and should therefore be fully subject to robust review and public scrutiny under the IAA.

Preparing Ontario for a Changing Future

CELA contributed to the [collaborative vision](#) of what Ontario needs for an affordable, liveable, prosperous future in the most recent update from Ontario environmental groups. In particular, we note deep agreement on the need to "ensure equitable access to home energy retrofits across all housing types and income levels to ensure climate impacts do not fall primarily on those least able to deal with them" and "commit to a heat pump program as part of an affordability plan", among many other thoughtful suggestions for a sustainable and healthy energy future for Ontarians.

Green Prosperity is a joint effort of Ontario's leading environmental organizations to put forward an action agenda for the province that we believe will help make Ontario a world leader in the new green economy.

Green Budget Coalition Recommendations

The Green Budget Coalition – including CELA – recently released its detailed recommendations for the 2025 federal budget, dedicated to simultaneously making progress on the linked climate and biodiversity crises and improving environmental justice.

The Green Budget Coalition's five feature recommendations will also make life more affordable, create jobs, and reduce future costs

1. **Delivering on nature commitments** — Renew and expand existing funding to continue Canada's leadership on nature protection.
2. **Retrofits for resiliency and affordability** — Expand and coordinate retrofit programs that integrate health, affordability, and adaptation targets.
3. **Sustainable Agriculture Strategy: Cultivating success** — Help producers and Canada be leaders in sustainable and innovative agriculture.
4. **Sustainable jobs for workers and communities** — Create green job opportunities across Canada, including youth and Indigenous peoples.
5. **Office of Environmental Justice** — Establish new Office of Environmental Justice to ensure environmental protection programs and policies account for inequities.

In addition, the Green Budget Coalition has recommendations for climate adaptation, sustainable finance, clean transportation, electricity, freshwater, fisheries management, and other important environmental issues.

The [Green Budget Coalition](#), active since 1999, brings together 22 of Canada's leading environmental organizations, collectively with over one million members and supporters, and decades of experience solving Canada's biggest environmental challenges.

Inside CELA

Thank-You to Departing CELA Board Members!



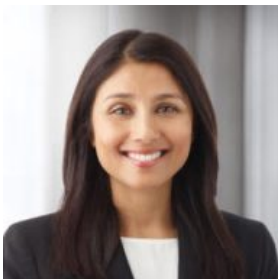
Lauren Alcorn was a director on CELA's board for 16 years. Lauren brought a deep background in the water sector to CELA's work. As a proponent of Indigenous rights, gender equality and inclusion, Lauren's advocacy and passion were very valuable to the CELA board. Lauren has worked in leadership at a not for profit organization herself, so brought considerable expertise to the areas of governance and not for profit services. She

participated in many many of our board committees and working groups over the years, providing deep insight and practical advice. These included the Reconciliation, Equity, Diversity and Inclusion committee, the Nomination Committee, and a working group responsible for creating a standardized Executive Director review process. Lauren volunteered whenever work needed to be done.



Bruce Davidson joined the CELA board in 2004, after the Walkerton Inquiry. Bruce was an organizer and spokesperson for the Concerned Walkerton Citizens. Bruce was extremely insightful in understanding how CELA can help communities undergoing a crisis amid adverse environmental impacts. He was also a colleague over the years in outreach and education, helping to ensure other communities would not face the adversity

that his did during and after the drinking water tragedy in his town. Bruce was a regular participant at the Legal and Priorities Committee, and we appreciated his guidance on service priorities.

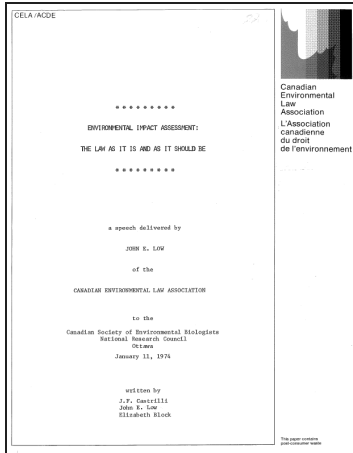


Kruti Patel left the board this year after two years of service. As a director on the boards of both CELA and the Canadian Environmental Law Foundation, Kruti brought a passion for the intersection of health, the environment and social justice stemming from years of personal experience and interest. Kruti participated in CELA's Reconciliation, Equity, Diversity and Inclusion committee and provided welcome and wise input to a number of board projects.

CELA's board and staff will miss Kruti, Lauren and Bruce on a professional and personal level. We sincerely thank them for their contributions!

From the Foundation

October Feature



This month's feature from the Canadian Environmental Law Foundation is a speech delivered by CELA staff member John E. Low to the Canadian Society of Environmental Biologists at the National Research Council in Ottawa in 1974.

Titled "Environmental Impact Assessment: The Law As It is and As It Should Be", the speech was written in part by then researcher and now CELA counsel Joseph Castrilli and delivered a critical examination of federal and provincial procedure and legislative initiatives related to environmental impact assessment.

Webinars & Resources

Virtual LIEN Annual Conference 2024 – “Cool It Now: Protecting Tenants from Extreme Heat”

Thursday, November 21, 2024, 12:00 NOON - 3:00 PM (EST) via Zoom

[Registration is required for this free conference.](#)

Building on last year's theme (“Turning up the Heat on the Right to Cooling”), this year's Low-Income Energy Network conference will focus on advocating for the right to cooling amid rising temperatures.

Topics will include:

- The need for energy efficiency policies in rental housing to be developed with an equity lens to address cost impacts for low-income tenants who may face challenges related to affordability, in the form of renovictions or above guideline rent increases.
- Legal opinion on municipal powers around the creation of maximum heat by-laws.
- A toolkit for activists on municipal advocacy around extreme heat and rental housing, including a model maximum heat bylaw and a template for deputations on extreme heat in rental housing.
- Updates on municipal advocacy around maximum heat bylaws from several jurisdictions: Hamilton, Toronto, Ottawa, Kingston.

Hear from experts from CELA, Advocacy Centre for Tenants Ontario, Efficiency Canada, ACORN, and more!

This event is open to anyone with an interest in ending energy poverty by increasing energy access and fighting climate change.

Toolkit: Municipal Advocacy around Extreme Heat and Rental Housing

CELA and the Low-Income Energy Network (LIEN) have released a [new toolkit](#) for advocates on municipal advocacy around extreme heat. It includes an introduction to the issue, a model maximum heat by-law, and a template for deputation to municipal council.

In the Community

This month saw CELA staff attending a number of legal education events around the province:

- CELA staff attended the Landlord Learning Forum hosted by the Landlord's Self-Help Learning Centre, sharing resources on healthy indoor environments, including materials from the RentSafe program.
- CELA and the Low-Income Energy Network (LIEN) presented to Federal and Provincial government officials and advocacy organizations at the Canada Home Energy Justice conference in Ottawa; topics included ways to better protect clients from energy poverty, advocating for a human-rights based approach to addressing energy poverty, and presenting an activist's toolkit for advocacy on maximum temperature by-laws in rental units.
- Theresa McClenaghan, CELA's Executive Director, presented to the South Bruce community regarding participation rights and decision-making processes in the Nuclear Waste Management Organization siting process.

Looking for a Publication?

CELA's charitable arm, the Canadian Environmental Law Foundation, maintains digital and physical collections that document the history of environmental protection across the country.

The Foundation recently launched a new website for the [Canadian Environmental Law Archives](#), allowing you to browse and search all of CELA's publications and historical records, as well as those of government agencies, watchdog authorities, nonprofit organizations, lawyers, and many of the country's most influential environmental advocates. In addition to the Archives, all of CELA's publications are listed in reverse chronological order on our [website here](#).

CELA also knows how fragile gains are and how easily they can be lost. One of the driving forces behind the creation of the Foundation and the Archive was a desire to protect and document the history of environmental law and environmental decision-making.

Support Our Work



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