



# INTERVENOR

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

## Municipal Action Key to Addressing Environmental Justice Issues

Municipal governments play a front-line role in ensuring our right to a healthy environment.

They work at the level where people live and are often the first to address environmental issues that disproportionately affect low-income and marginalized communities.

As the owners of our drinking water systems, municipalities can mandate the removal of lead service lines, the most common source of lead contamination in water. They can also provide funding to offset the replacement cost for low-income individuals.

CELA's "[Get the Lead Out](#)" campaign focuses on both provincial and municipal action to reduce this public health risk to young children and fetuses.

Similarly, municipal governments also have the power to implement heat-resilient rental housing bylaws to mitigate the impacts of climate change and extreme heat, which are disproportionately felt by the most underrepresented and marginalized community members.

One way to advocate for the right to cooling amid rising temperatures is to write to your municipal representatives. CELA, together with the Low-Income Energy Network (LIEN) and the Advocacy Centre for Tenants Ontario (ACTO), has created a [new toolkit for activists on Municipal Advocacy around Extreme Heat and Rental Housing](#).

We look forward to continuing to support municipalities in using their broad powers to enact by-laws that address environmental concerns, including providing safe drinking water and mitigating climate change impacts and pollution on underserved communities — the communities who are the least responsible for these issues, yet the most at risk.

As the government closest to impacted citizens, municipalities can effect significant change.

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# Case Updates

## Dresden Landfill Environmental Assessment



CELA has been retained by Dresden Citizens Against Reckless Environmental Disposal ([DresdenCARED](#)) in relation to a private company's proposal to resume and significantly expand landfilling operations and waste handling, processing and transfer activities at a dormant waste disposal site in Dresden, Ontario.

In the summer of 2024, this controversial proposal was [designated](#) by the provincial government under the *Environmental Assessment Act*, which means that the company must now prepare a Comprehensive Environmental Assessment (EA) under Part II.3 of the Act.

CELA will be working with our clients and their experts in the forthcoming EA process to present evidence and raise objections to the proposal due to its potential to cause adverse impacts to groundwater, surface water, and air quality, as well as negative socio-economic impacts to the local community.

## Richmond Landfill Saga



In our longest-running landfill [case](#), CELA has represented Concerned Citizens Committee of Tyendinaga & Environs (CCCTE) since 1999 in relation to a large closed landfill (and a new proposed landfill) near Napanee, Ontario. On behalf of CCCTE, CELA has been involved in various court proceedings, tribunal hearings, and administrative processes over the years.

Our client's current focus is on the technical soundness and claimed effectiveness of the landfill owner's [proposal](#) to establish an on-site "Hydraulic Control System" to address leachate chemicals that have moved from the existing landfill in the groundwater flow system. It is anticipated that the provincial decision on whether to approve or reject this proposal will be announced in the coming months.

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## Law Reform Updates

### Air Quality Concerns in Sault Ste Marie



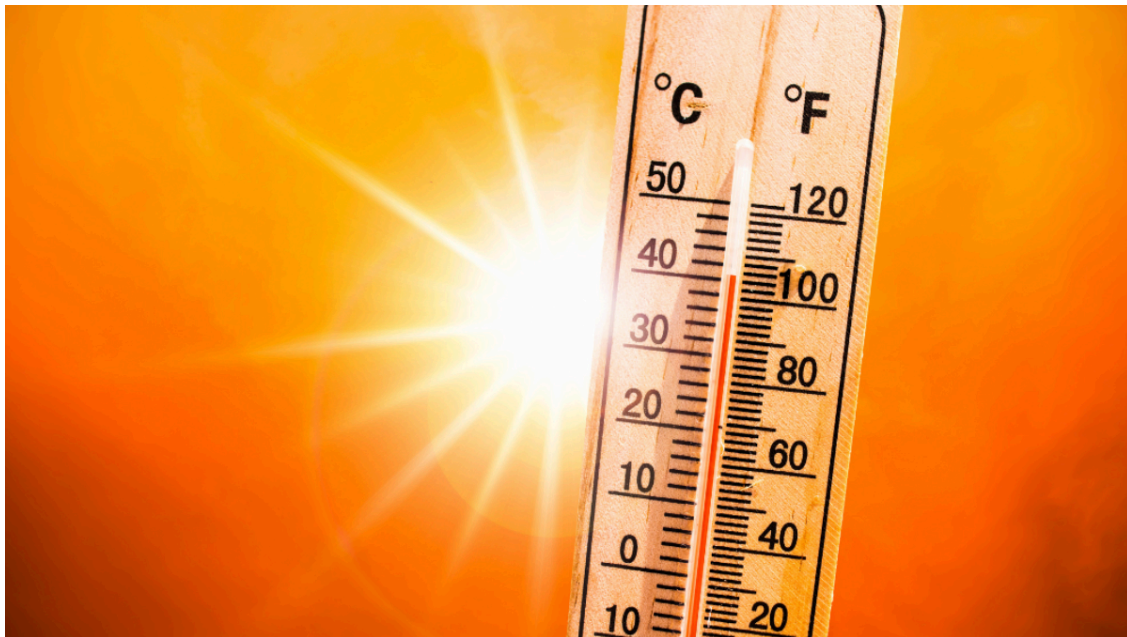
Air pollution is a major source of harm to human health and the environment, and CELA [calls on Ontario](#) to set and enforce strong standards for local air quality to protect people from exposure.

Recently, Algoma Steel Inc. applied for a new site-wide Environmental Compliance Approval for air and noise for its Sault Ste. Marie facility. CELA made a [submission](#) to the Ministry, and are now awaiting the Ministry's decision.

CELA raised concerns about Algoma Steel's applications for exemptions ([site-specific standards](#)) from the provincial air pollution standards for benzene (884% of the provincial standard), benzo(a)pyrene (53,000% of the provincial standard), total suspended particulate matter (112.5% of the provincial standard) and sulphur dioxide (240% of the provincial standard).

Given that previously issued site-specific standards have expired and no new site-specific standards have been issued, the Ministry needs to clarify precisely what air standards apply for air contaminants released by Algoma Steel. Compliance with an undisclosed Abatement Plan is not a substitute for complying with the provincial air emissions standard.

## **Workplace Heat Protection – Bill 222 Aims to Keep Workers Safe from Extreme Heat**



CELA is encouraged by a private member's bill, Bill 222, An Act to protect workers from heat stress, that had its first reading on November 7, 2024.

If passed, the Bill would set the framework for the protection of workers throughout every workplace in Ontario. As climate change progresses, workers across industries are increasingly exposed to extreme heat in their workplaces and these exposures threaten their health and their lives.

CELA is urging all parties to support the bill and take action to protect Ontarians from the impacts of extreme heat in the workplace. Read the [full blog here](#).

## U.S. EPA Unveils Landmark Rule to Reduce Lead in Drinking Water



In a recent [blog post](#), CELA law student Adam Clasky discusses the U.S. Environmental Protection Agency's (EPA) new Rule under the Safe Water Drinking Act, which mandates the replacement of most lead service lines within 10 years, as well as improved water testing and a lower lead exposure action threshold.

The U.S. government will provide funding to support these measures, an approach that could be emulated in Canada.

## Important Progress for Community Access to Pollution Data on Forever Chemicals



Public pressure and NGO advocacy succeeded in persuading the federal government to add PFAS to the National Pollutant Release Inventory (NPRI), Canada's main pollutant release and transfer inventory.

Known as "Forever Chemicals", there are over 16,000 known PFAS and they can be found in the environment (air, water and land), wildlife, food and in human bodies.

The government proposal will require reporting on 131 individual PFAS substances starting with data for 2025. The public will have full access to the data reported to NPRI, which will be a significant step forward in public access to information on these chemicals.

Over 30 environmental and health organizations, including CELA, recently submitted [detailed recommendations](#) to the federal government recommending improvements on reporting on PFAS in the NPRI program and addressing limitations in current government proposals.

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## Inside CELA

### Come Work with Us!

Are you interested in empowering underserved communities to protect their drinking water?

CELA is now accepting applications for a **Community Outreach Worker - Clean Water** to advance our Healthy Great Lakes program! Our Community Outreach Worker will be responsible for overseeing the strategic objectives in CELA's Healthy Great Lakes program, which seeks to ensure safe drinking water for everyone by encouraging law and policy reform to restore the waters of the Great Lakes and St. Lawrence basin.

The deadline for applications is **Monday December 2, 2024, at 5:00 PM EST!** [Click here](#) for more information.

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## From the Foundation

### November Feature

This month's [feature from the Canadian Environmental Law Foundation](#) is the written argument that CELA submitted in the Supreme Court Spraytech case in 2000. Spraytech is the leading case on municipal jurisdiction over health and welfare provisions as being within municipal remit. CELA was supporting Hudson, Quebec's right to pass cosmetic pesticide bylaws.

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## Webinars & Resources

**NEW! Extreme Heat Toolkit**



CELA, together with the Low-Income Energy Network (LIEN) and the Advocacy Centre for Tenants Ontario (ACTO), has created a new [toolkit for activists on Municipal Advocacy around Extreme Heat and Rental Housing](#). Included is an introduction to the issue, our Model Maximum Heat Bylaw, and a Template for Deputation On Extreme Heat In Rental Housing to send to your local city council members. Feel free to use this in your advocacy work!

## 2024 Low-Income Energy Network Conference



The 2024 LIEN conference took place last Thursday. This year's theme was "Cool it Now: Protecting Tenants from Extreme Heat."

Featuring speakers from the CELA, Advocacy Centre for Tenants Ontario, Efficiency Canada, ACORN Canada and more, presentations included discussions around the need for equitable energy efficiency policies in rental housing for low-income tenants, legal opinions on municipal powers around the creation of maximum heat bylaws, and updates on municipal advocacy from several municipalities.

Information about the conference, including presentations, can be found [here](#).

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## 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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