

Pollution Prevention (P2)

Planning and CEPA 1999

Part 4

**Great Lakes Pollution Prevention Roundtable
Toronto, Ontario
August 2002**

1. What is pollution prevention?
2. Risk management requirements in the *Canadian Environmental Protection Act, 1999* (CEPA 1999)
3. Basic elements of P2 planning requirements in CEPA 1999
5. Obligations of persons subject to a P2 planning Notice

What is pollution prevention?

☞ The *Canadian Environmental Protection Act, 1999* defines pollution prevention as:

“the use of processes, practices, materials, products, substances or energy that avoid or minimize the creation of pollutants and waste and reduce the overall risk to the environment or human health”

Risk management (1)

- CEPA 1999 creates an obligation to identify/manage toxic substances
- Categorization and subsequent assessment of substances to determine the need to manage risk is underway
- Timelines for categorization and for proposing & publishing prevention and control instruments set in legislation

Risk management (2)

☞ Risk Management Strategies

- define the problem
- describe the sources
- state the risk management objectives
- outline the options to meet the objectives

☞ Consultation

Risk management (3)

- ☞ Tool Box to Manage Risk Expanded
- Regulations
 - Pollution Prevention Planning
 - Guidelines and Codes
 - Environmental Emergencies Plans
 - Economic Instruments
 - Non-regulatory Standards
 - Voluntary Initiatives (new policy)

P2 planning in CEPA 1999

- Minister of the Environment can require persons to **prepare** and **implement** P2 plans in a *Canada Gazette* Notice
- Persons subject to the Notice must submit information to the Minister about their P2 plans in the form and content defined in the Notice and in the timeline specified in the Notice.

Basic elements of CEPA P2 planning

- ☞ *Gazette* Notice (proposed and final)
- ☞ Declarations
 - Of Preparation
 - Of Implementation
 - Interim Progress Reports (if required)
- ☞ Time extensions
- ☞ Waivers
- ☞ Use of other plans
- ☞ Plans kept on site
- ☞ Required to submit plans on request, not otherwise
- ☞ Penalties for not complying or for providing false information

Elements of a P2 planning *Gazette Notice*

- Substance(s)
- Person(s)
- Activities
- Factors to consider (e.g. risk management objective)
- Timelines for plan preparation, implementation, interim progress reports
- Any other administrative matters considered necessary (e.g. form and content of declarations)

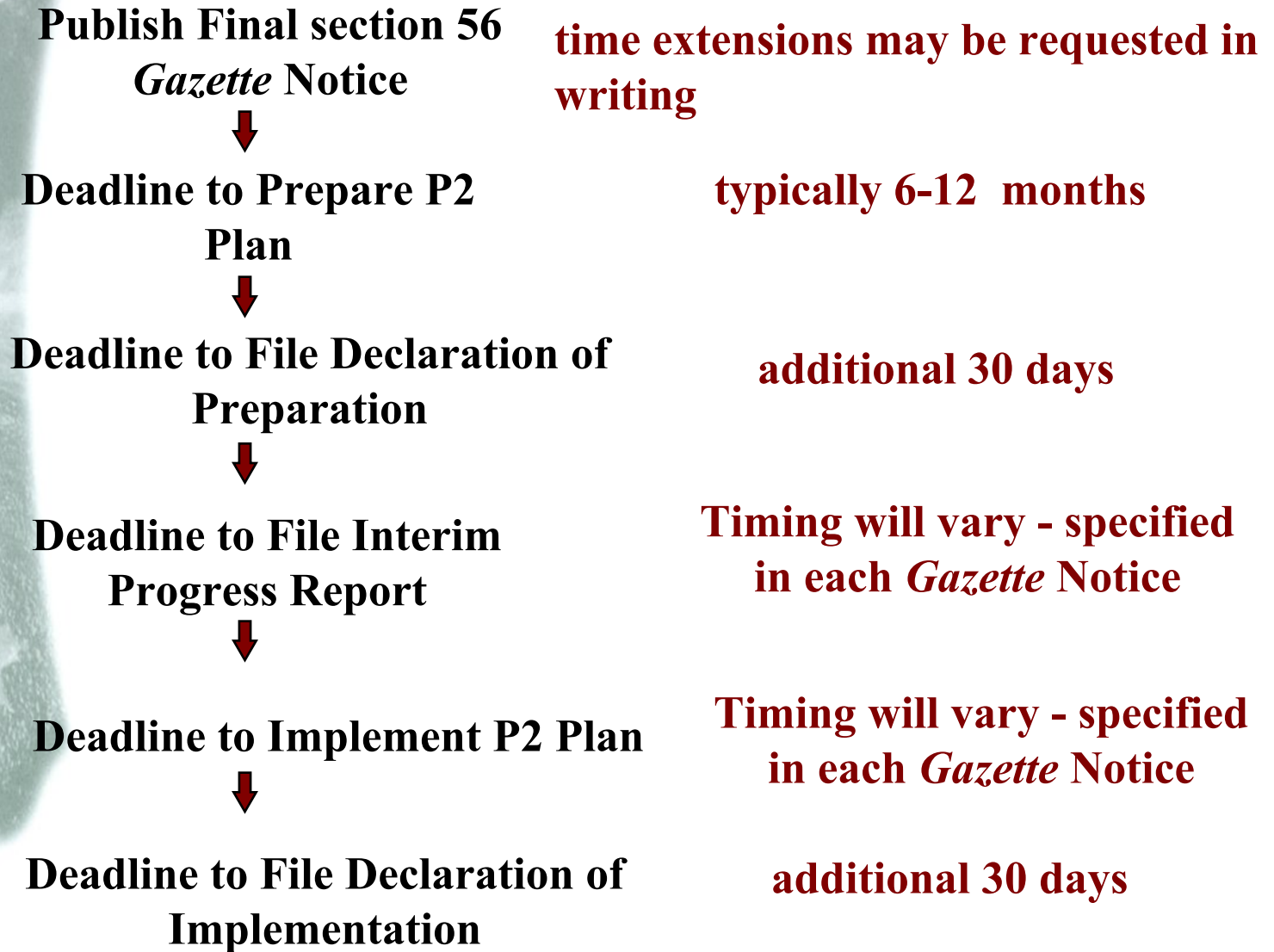
Declaration of Preparation

- **Filed 30 days after the deadline to prepare P2 plan**
- **Environmental baseline information**
 - **current on-site releases, off-site transfers**
- **Actions to be taken, methods to be used**
 - **P2 and otherwise**
- **Anticipated results and timelines**
- **Monitoring, performance measurement, reporting**
- **How RM objective to be achieved**
- **How “factors to consider” are addressed**

Declaration of Implementation

- **Filed within 30 days after the deadline to implement P2 plan**
- **Environmental baseline information (current)**
- **Actions taken, methods used**
- **Results achieved and corresponding timelines**
- **Explanation if results different from those anticipated**
- **Monitoring, performance measurement, reporting used**
- **How RM objective was achieved**

Timelines



Information to be provided to Environment Canada

Mandatory

- ☞ Declaration of Preparation
- ☞ Declaration of Implementation
- ☞ Interim Progress Reports - if required
- ☞ Amendments to Declarations

Optional

- ☞ Request for extension of time (plan preparation, plan implementation)
- ☞ Request to waive factors to consider

Information to be publicly posted

- Declarations of Preparation
- Declarations of Implementation
- Amendments to Declarations
- Interim Progress Reports
- Requests for time extensions and Minister's response
- Requests to waive factors to consider and Minister's response

For more information

- *Guidelines for the Implementation of the Pollution Prevention Planning Provisions of Part 4 of CEPA (<http://www.ec.gc.ca/nopp>)*
- *Pollution Prevention Planning Under Part 4 of CEPA - Frequently Asked Questions (FAQs) (<http://www.ec.gc.ca/nopp>)*
- *Pollution Prevention Planning Handbook*
<http://www.ec.gc.ca/nopp>
- *Canadian Pollution Prevention Information Clearinghouse* <http://www3.ec.gc.ca/CPPIIC/>
- *Canadian Centre for Pollution Prevention*
<http://www.c2p2online.com/>