

*For immediate release*

## **Erosion of Environmental Protection Continues During Government's Third Year**

The deterioration of environmental protection in Ontario has continued during the Ontario Government's third year, according to a major report released today by the Canadian Institute for Environmental Law and Policy (CIELAP).

"The environment ministry has been stripped of staff and starved of funds, as the government has weakened environmental protection laws, shut our the public from environmental decision-making, and gotten lenient with convicted polluters," said Anne Mitchell, executive director of CIELAP.

"The only new protection that's been put in place has been to protect the government from being sued for any damages resulting from weakening environmental protection . Laws have been amended to make it impossible to hold the government accountable in court for these damages," Ms. Mitchell said. "It's a sad day when the Ontario government's environmental priority is to insulate itself from the consequences of its own failure to protect the environment," she said.

"The current government has the worst environmental record in modern Ontario history," said Mark Winfield, co-author of the 135-page report which details dozens of specific instances where environmental protection has been weakened. They include:

### **Convicted polluters are being handled with kid gloves**

The total amount of fines levied in environmental prosecutions in 1997 plummeted to its lowest level in Ontario in a decade. Total fines slipped below the million-dollar mark for the first year since 1987, when fines for environmental offences were raised substantially.

Between 1988 and 1995, fines for environmental offences averaged \$2,600,000 a year. During the first two years of the current government, environmental fines totalled \$1,204,034 in 1996 and \$955,860 in 1997.

### **The Ontario Government has gone on strike against fish habitat protection**

In September 1997, the Ministry of Natural resources (MNR) unilaterally ceased enforcing the habitat protection provisions of the federal Fisheries Act. This retreat from environmental protection took place after the federal government refused to amend the act to allow provincial authorities to allow destruction of fish habitat.

## **Weakening of waste regulations invites more Plastimet fires**

The Ontario Ministry of the Environment (MOE) has proposed to weaken regulations on hazardous waste recycling. This would enlarge the regulatory loophole that set the stage for the July 1997 Plastimet chemical fire and toxic fallout incident in Hamilton.

The MOE hazardous waste loophole -- which makes it easier for more hazardous waste handlers to operate without effective regulation -- flies in the face of the recommendations of the Office of the Fire Marshall which investigated the Plastimet fire and called for tougher regulation of recycling and waste handling facilities, not weaker ones. The Fire Marshall's investigation found there had been 220 fires in 1994 and 1995 in recycling facilities that handle waste and hazardous materials.

"The Ontario government seems determined to repeat and expand on the errors that led to the Plastimet disaster," Mr. Winfield said.

## **Polluters are policing themselves**

The Ontario government has weakened and removed requirements that mining companies guarantee the cleanup of abandoned and played out mines. Approval of mine closure plans has been turned over from government scrutiny to company employees. The government has also relaxed rules requiring mining companies to post financial assurance of proper decommissioning when a mine's useful life has ended. Cleanup costs for already abandoned mines, such as the Deloro site which pollutes the Moira River in Eastern Ontario, have been estimated to range between \$300 million and \$3 billion.

The MNR is ignoring forest sustainability laws and allowing logging to proceed without adequate controls or oversight. In February, 1998, a court declared three Northern Ontario timber management plans to be "of no force and effect" because the MNR which issued them failed to comply with its own law, the Crown Forest Sustainability Act.

In 1997, the MNR transferred regulation of commercial fishing to the commercial fishing industry.

"The Ontario government continues to fail to discharge its environmental duties. This direction will have to change to protect health and the environment," said Ms. Mitchell.

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*The Canadian Institute for Environmental Law and Policy has for been commenting on and monitoring policy and regulatory changes related to the environment for 30 years.*