



October 23, 2017

The Hon. Kathleen Wynne
Premier of Ontario
Legislative Building
Queen's Park
Toronto ON M7A 1A1
Via email : premier@ontario.ca

Dear Premier Wynne:

Re: Bill 154, An Act to cut unnecessary red tape by enacting one new Act and making various amendments and repeals

We are writing to you to express our profound concerns regarding Bill 154, specifically the contents of Schedule 4.

Section 2 of Schedule 4 imposes a “one-for-one” rule for the enactment of regulatory measures. Under this provision any “administrative burden” to businesses as result of any new regulatory measures must be offset by a comparable reduction in the “administrative burden” associated with existing regulatory measures.

Section 2 of Schedule 4 effectively requires that an existing regulatory requirement be repealed or weakened before new requirements can be established. The implication is that new problems cannot be addressed through the regulatory process unless an existing regulation is removed. Stronger measures to address air pollution, cannot be adopted, for example, unless the laws around some other threat to human health or the environment, such as rules related to the provision of safe drinking water, are somehow

weakened. Section 2 raises a very real concern that government officials will avoid these trade-offs and forgo enacting regulations to protect health and safety, even in the face of clear and pressing needs.

The adoption of similar provisions in other jurisdictions has resulted in serious impacts on human health and safety. In the United Kingdom, for example, a similar rule is considered to have contributed to the U.K government's failure to adopt fire safety laws that could have prevented the death of 80 people in a deadly fire in Britain earlier this year.

In the Ontario context, similar requirements were put in place by the former Progressive Conservative government. An independent public inquiry determined that these requirements contributed to the Walkerton tragedy, which resulted in seven deaths and caused 2,300 people to become ill as a result of drinking water contaminated with e-coli.

In the United States, an even more aggressive "two-for-one" rule was adopted by the Trump Administration earlier this year through an Executive Order. The measure has been widely criticized by public interest organizations, academics and the media as constituting a dangerous threat to human health, safety and the environment. The Executive Order is currently the subject of legal and constitutional challenges before a U.S District Court.

Given the serious implications of this provision for the health and safety of Ontarians, we strongly recommend that your government delete Schedule 4 from Bill 154.

Yours sincerely,



Theresa McClenaghan
Executive Director
Canadian Environmental Law Association



Fred Hahn
President
Canadian Union of Public Employees



Dr. Doris Grinspun
Chief Executive Officer
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Janet McKay
Executive Director
Local Enhancement and Appreciation of Forests



Caroline Schultz
Executive Director
Ontario Nature

- c. The Hon. Chris Ballard, Minister of Environment and Climate Change
The Hon. Dr. Eric Hoskins, Minister of Health and Long-Term Care
The Hon. Kevin Flynn, Minister of Labour