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Tool Kit Item #3

REPORTING COMPANIES

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Now that we have identified the 25 priority substances of concern, the Environmental Reporting and Disclosure Bylaw can help us find the sources of these pollutants. We know in general the type of industries that use certain substances. For example, funeral services are likely using formaldehyde and dry cleaners are probably using tetrachloroethylene. However, this does not mean that every company in a particular industry uses these chemicals. Some may have chosen other, less harmful substances.

For the first time in Canada small and medium sized companies have been called on to report their use of substances. Toronto companies are required to report their chemical use and release data every year, so the Bylaw will also show us whether the hazardous chemicals being used and released are increasing or decreasing over time. This is because the City of Toronto has lowered the threshold for reporting from Provincial and Federal requirements. This will assist them in evaluating how small emissions may add up once they are mixed into our air to levels that could impact health. Experience with other reporting programs has shown that when companies track their chemicals, they find ways to reduce them. Companies reporting to Canada's National Pollutant Release Inventory (NPRI), for example, have reduced their emissions by 27% since 1993.

Knowing the reporting companies and their time frame for reporting can help you locate sources of hazardous chemicals in your community and track whether pollutants are being reduced. The Bylaw does not require companies to reduce the use and release of these chemicals through pollution prevention plans. However, often companies required to report their chemical use start to better understand and improve the way in which chemicals are managed in their facilities or to seek safe alternatives to their use. With your help, this knowledge can begin a cooperative effort to reduce the presence of these chemicals in our neighbourhoods and reduce worker exposures.

The chemical use and release data is made publicly available on the City's ChemTRAC website www.toronto.ca/chemtrac/. On June 25th, 2012, the information for Phase 1 reporting facilities was posted online as well as reviewed in the first annual Tracking and Reducing Chemicals in Toronto report.

PHASE 1

PUBLIC DISCLOSURE DATE **2012**

The types of industries to report first have been called the Phase 1 facilities. They were required to tell the City by June 30, 2011, how much of each of these chemicals they use and release in 2010. The Report on the Phase 1 facilities was released to the public in **June 2012**. The first companies to report are:

- manufacturing industries in general, including companies that make chemical and petroleum products;
- food and beverage manufacturers;
- printing and publishing companies;
- wood industries, such as furniture making companies;
- power generators; and
- the City's own water and sewage treatment plants.

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PHASE 2

PUBLIC DISCLOSURE DATE **2013**

A second group of industries have been given a little longer to report their chemicals. These Phase 2 reporting companies must report 2011 data by June 30, 2012. The Report on the Phase 2 facilities is scheduled to be released to the public **June 2013**. They include:

- chemical wholesalers;
- waste management & remediation services;
- medical and diagnostic laboratories;
- dry cleaning and laundry services;
- automotive repair and maintenance; and,
- funeral services.

PHASE 3

PUBLIC DISCLOSURE DATE **2014**

The Phase 3 reporting industries include all the companies in Phase 1 and 2 and any other sectors that have not been exempted from the Bylaw. By June 30, 2013, the reporting from all three phases must be complete. The Report on the Phase 3 facilities is scheduled to be released to the public in **June 2014**. They include (but are not limited to):

- Support activities in the transportation sector such as port and harbour operations; motor vehicle towing services, and air traffic control;
- Equipment repair and maintenance;
- Textile mills, leather products, and clothing manufacturing;
- Primary metal and metal product manufacturing;
- Other forms of manufacturing such as electrical equipment, machinery, computer and electronic products, games and toy products, etc.;

Which companies are exempt from the Bylaw?

Some businesses may be considered 'below threshold' or 'exempt' which means that they are not required to report under the Bylaw. If a company is below threshold that means that the business uses or releases a small amount of certain substances or none at all. The highest reporting threshold for most substances is 100 kilograms per year with the exception of Nitrogen Oxides (200 kg/yr) as shown in the table below.

18 CHEMTRAC SUBSTANCES HAVE THRESHOLDS AT OR ABOVE 100 KG/YR

Acetaldehyde	100 kg/yr
Acrolein	100 kg/yr
Benzene	100 kg/yr
1,3-Butadiene	100 kg/yr
Carbon tetrachloride	100 kg/yr
Chloroform (Trichloromethane)	100 kg/yr
Chromium, Non-hexavalent, and its compounds	100 kg/yr
1,2-Dibromoethane (Ethylene dibromide)	100 kg/yr
1,4-Dichlorobenzene	100 kg/yr
1,2-Dichloroethane (Ethylene dichloride)	100 kg/yr
Dichloromethane (Methylene chloride)	100 kg/yr
Formaldehyde	100 kg/yr
Nickel and its compounds	100 kg/yr

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18 CHEMTRAC SUBSTANCES HAVE THRESHOLDS AT OR ABOVE 100 KG/YR *CONT'D*

Tetrachloroethylene (Perchloroethylene)	100 kg/yr
Trichloroethylene	100 kg/yr
Vinyl chloride	100 kg/yr
Volatile organic compounds (VOCs), total	100 kg/yr
Nitrogen oxides (NOx)	200 kg/yr

In addition, there are 7 substances that have a reporting threshold below 100 kg/yr, some as low as 1 kg/yr, because they can be harmful even in very small amounts:

7 CHEMTRAC SUBSTANCES HAVE THRESHOLDS BELOW 100 KG/YR

Cadmium	1 kg/yr
Mercury	1 kg/yr
Hexavalent Chromium	10 kg/yr
Lead	10 kg/yr
Manganese	10 kg/yr
Polycyclic Aromatic Hydrocarbons	10 kg/yr
Particulate Matter (PM2.5)	30 kg/yr

Reference: Toronto Public Health. March 2012. Environmental Reporting and Disclosure Bylaw (Municipal Code Chapter 423): Guide to Reporting. Toronto: City of Toronto. Page 11. <http://www.toronto.ca/health/chemtrac/pdf/bylawguide.pdf>

For example: A business calculated the use and release of their substances using the ChemTRAC online calculator tools and determined that they release 25 kg/yr of Benzene and 5 kg/yr of Lead. This company is not required to disclose their use and release data under the Bylaw because the amounts are less than the minimum reporting thresholds for these substances. They could voluntarily report to ChemTRAC that the facility is 'below threshold'. Alternatively, some businesses acknowledge that they are below threshold but chose to share their substance data anyway so that the public is aware of their chemical levels. Some businesses use or release minimal or zero substances because they have environmentally friendly practices. It is in the company's best interest to share this good, green news with the public!

Certain businesses are exempt from reporting to the Bylaw. This includes retail stores, medical and dental offices, construction and renovation projects, food and accommodation services, gas stations and other fuel refilling sites, warehouses and some motor vehicle maintenance facilities (ones that don't paint, strip, rebuild or remanufacture parts).

For a more detailed explanation of what counts as exempt or not, please visit this ChemTRAC webpage: <http://www.toronto.ca/health/chemtrac/exempt.htm>

The challenge for the public is how to use the new ChemTRAC data to encourage pollution prevention and reduction and improve air quality in Toronto. Find some inspiration by reviewing **Tool Kit Item #4** to learn more about green business practices in Toronto!

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Do your own research on how toxics reporting programs work:

- The National Pollutant Release Inventory (shows all the emissions from Canada's largest polluters): **www.ec.gc.ca/inpr-npri/**
- United States Toxics Release Inventory: **www.epa.gov/tri/**
- Massachusetts' Toxic Reduction Act: **<http://turadata.turi.org/index.html>**
- Ontario's Toxic Reduction Act:
www.ene.gov.on.ca/environment/en/legislation/toxics_reduction_act/index.htm
- Eugene, Oregon's Toxic Right-to-Know program, one of the first community bylaws that required companies to report their toxics:
www.eugene-or.gov/index.aspx?NID=1833
- New York's Community Right-to-Know Program:
www.nyc.gov/html/dep/html/businesses/tier2.shtml