

# The Principle of Environmental Justice under the Canadian Environmental Protection Act, 1999

What does the recognition of the principle of environmental justice mean for the National Pollutant Release Inventory?

Canada's [National Pollutant Release Inventory](#) (NPRI) was established in 1993, with the first results released in 1994. Under the *Canadian Environmental Protection Act, 1999* (CEPA), mandatory reporting provisions require the owners and operators of applicable facilities to submit a variety of data to be published in the NPRI.

## What is the National Pollutant Release Inventory (NPRI)?

The NPRI is Canada's public inventory of releases, disposals and transfers. It tracks over 320 pollutants from over 7,000 facilities across Canada. The NPRI includes information about pollution from facilities, such as:



- releases from facilities to air, water or land,
- disposals at facilities or other locations,
- transfers to other locations for treatment and recycling,
- facilities' activities, location and contacts, and
- pollution prevention plans and activities.

The NPRI is one of data collection processes used under CEPA to help the Government of Canada manage risks to human health and the environment posed by substances that may enter the environment.

## The Principle of Environmental Justice under CEPA:

Environmental justice is a broad concept which has been applied across various contexts to support equitable decision-making processes and outcomes. In 2023, CEPA was updated to include recognition of the right to a healthy environment and important new principles: **environmental justice**, intergenerational equity, and non-regression. To further explore the meaning and application of the right and new principles to CEPA processes, the Government was required to develop an Implementation Framework. After extensive public consultation, the [Implementation Framework on the Right to a Healthy Environment](#) was published in July 2025.

The Implementation Framework discusses the meaning and application of the new principles in Part 4. The Framework indicates that such principles are applied on a case-by-base basis when determined to be relevant. Although considered distinct from the right to a healthy environment, consideration of CEPA principles, including environmental justice, can be relevant in protecting the right under CEPA.

**Under CEPA, the principle of environmental justice: “seeks to advance the fair and equitable protection of all people in Canada from disproportionate environmental or health risks and to advance their equitable access to meaningful participation in decision-making.”** - Implementation Framework (p. 22)

The Implementation Framework recognizes that environmental justice concerns can arise in a variety of different contexts, including when populations are located in close proximity to environmental hazards; when inaction leads to harmful exposures that could otherwise have been avoided; when there are gaps in environmental protection and compliance; and/or when there are limited opportunities to participate in decision-making.

As a principle to be upheld within CEPA, environmental justice involves four key tenets:

- **Distributive justice**, which relates to advancing towards equitable protection from pollution risks in CEPA decision-making.
- **Procedural justice**, which involves equitable representation and participation in CEPA decision-making.
- **Recognitional justice**, which aims to acknowledge and respect the differences between individuals, collective identities, and their concerns, needs and livelihoods when making decisions under CEPA.
- **Restorative justice**, which relates to redress or remedy of harm caused by pollution through CEPA risk management and enforcement.

### What does this mean for the NPRI?

The reforms made to CEPA in 2023 that resulted in the addition of the principle of environmental justice and the recognition of the right to a healthy environment, among other changes, have contributed to a shift in thinking about the range of public information available through the NPRI and the need to collect a broader scope of data and improve the accessibility of information about the chemicals regulated under CEPA.

In 2025, **MiningWatch Canada**, a former NPRI Consultative Work Group NGO member organization, produced a paper that identified four areas of improvement that should be the focus of [updates to the NPRI in order to improve access to environmental justice](#).

- **Scope:** The current limitations in NPRI reporting should be identified and acknowledged and work must be done to expand the scope of data collected and published.
- **Accessibility:** NPRI data should be made more accessible. NPRI data should be easily accessible in both physical and electronic format. Whether this means personal devices or physical locations at institutions like community centres and public libraries, NPRI data must be available in forms and formats that are useable and comprehensible without special training or extensive post-secondary education.
- **Responsiveness:** Both data collection and its public presentation or access under CEPA should be adapted to meet the needs of vulnerable communities and groups and provide necessary inputs for analysis and decision-making processes.
- **Accountability:** The success of the NPRI ultimately hinges on the ability of affected communities and individuals to use it to inform and facilitate their understanding and decision-making with respect to those risks and effects. Mechanisms should be developed to evaluate the NPRI's effectiveness in this regard, including direct engagement with, and feedback from, affected communities and public-interest organizations.

In 2025, another NGO member group, the **Canadian Association of Physicians for the Environment (CAPE)**, also published a [paper with recommendations for improving access to environmental justice](#) through the NPRI by integrating health impact data. As discussed in the paper, a more comprehensive NPRI that includes health information would increase accountability for industries contributing to pollution. Key recommendations include:

- **Linking pollutant releases to known health effects:** NPRI data should be supplemented with health impact information, data and studies on specific pollutants, to make health risks clearer to the public. For example, by including infographics with summarized information or providing case studies or stories of communities that have linked pollutant releases to health outcomes for policy, program, or decision making purposes.
- **Expanding data accessibility:** NPRI's interface should provide user-friendly health impact summaries alongside emission data, ensuring accessibility for non-expert audiences. This may include creating specific tools that support decision making, like automatic triggers to inform communities of exposures beyond recommended or regulated limits, layered or comparative maps, and guides for using data in health impacts assessments or to establish relationships between health outcomes and pollution data.
- **Incorporating fracking-related pollution:** Fracking activities are a significant yet underreported source of environmental and health risks. The NPRI should require and disclose detailed reporting on pollutants from fracking operations.

Overall, The NGO members of the Consultative Work Group recognize that the NPRI is an important tool that can advance all tenants of environmental justice and help uphold government responsibilities associated with the right to a healthy environment. However, to do so, the NPRI needs to be substantially strengthened with respect to its scope, reporting requirements and validation of data from reporters to inform communities and decision makers.

### **Next Steps:**

Work is ongoing to determine the appropriate changes needed to the NPRI to reflect the principle of environmental justice and to develop clearer linkages between different types of information captured and produced by CEPA processes. The Implementation Framework indicates that engagement on the right to a healthy environment and other new elements of CEPA, such as the principle of environmental justice, will be ongoing, transparent, and inclusive to ensure that a full range of voices continue to be represented as the framework is implemented and evolves.

Existing committees that include key CEPA stakeholders and partners, such as the NPRI Consultative Work Group, will be key to this ongoing engagement. Environment and Climate Change Canada and Health Canada will also work to identify other opportunities to listen to a broader range of perspectives and collaborate with First Nations, Inuit, and Métis.

Progress on implementation of the Framework will be reported in the CEPA Annual Report, starting with the 2025-26 Report.



By: Heather M. Fast,  
Policy Advocacy Director  
Manitoba Eco-Network  
March 2026