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acid rain and urban
smog;



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iveness in Pollution, why is it still running rampant in our environment today ? Are there no laws to control or stop it ? In regards to these questions, Canada has a great many laws to stop and regulate pollution. But despite this, why is it still happening. What are Canada's so called enforcement measures and are they effective ? We have the Environmental Bill of Rights and the Canadian Environmental Protection Act, just to name a few. Sure some polluters break these laws and get caught, but all they get is a slap on the wrist; why is that ? Some even have the goal to pollute again. Acid rain and hazardous wastes are just two of the many problems plaguing our environment today, but nothing is really being done about them; why ? Finally what is the polluters point of view in all of this ? To begin with, in some areas there are both federal and provincial legislation to ensure that companies and individuals respect the environment.

Federally the central piece of legislation in Canada is the Canadian Environmental Protection Act (CEPA). " CEPA is the consolidation of five statutes: The Environmental Contaminants Act, the Air Quality Act, the Canada Water Act, the Ocean Dumping Act, and the Department of the Environment Act." (Muldon, 1995, p. 23) The CEPA contains important penalties and sanctions; provisions for the collection of information and for evaluation; provisions for the control of importation and exportation of toxic substances; and provisions for the reduction of wastes, the cleanup of coastal zones, the protection of the ozone layer; the reduction of acid rain and urban smog; and provisions for the development of regulations.

All provinces and territories have enacted their own legislation, establishing general environmental rights and responsibilities; but the level of

environmental protection established is not equal all across Canada.

Generally, it can be said that each province and territory regulates the discharge of contaminants into the environment by requiring licenses and permits and by invoking penalties. The regulated matters include environmental impact assessment, waste management, drinkable water standards, and land conservation. (Morrison, 1991, p24) Also, provinces and territories dealwith several other matters indirectly affecting the environment, such as the regulation ofcommercial or industrial activities like mining, agriculture, and transportation. In Ontario, the four main statutes are the Ontario Environmental Protection Act (OEPA), the Ontario Environmental Bill of Rights (EBR), the Ontario Environmental Assessment Act, and the Ontario Water Resources Act (OWRA). OEPA provides for the protection of the natural environment, which is defined very broadly. It also creates the Environmental Appeal Board.

“ OWRA is concerned with the protection of all surface waters and ground waters. Both acts prohibit the discharge of a contaminant into the natural environment that causes or is likely to cause an adverse effect or that impairs or is likely to impair the quality of the water.” (Morrison, 1991, p. 33)

The Ontario Environmental Bill of Rights provides for increased public participation rights and creates the Environmental Bill of Rights Commissioner. Moreover the EBR was established in 1993. “ It represents a new era in environmental decision making...

one characterized by enhanced public participation, citizen empowerment, and greater accountability of decision makers.” (Muldon, 1995, p. 15) The new rights and responsibilities in the legislation require politicians, policy

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makers, lawyers, activists, and citizens to rethink and modify their usual ways of looking at environmental problems. It is hoped that the EBR will promote positive strategies such as waste reduction, energy and water conservation, and “ green” industry development.

(Muldon, 1995, p. 16) Finally, there are also many specific laws dealing with specific industries. Such as the Pesticides Act, The Ontario Water Resource Act, the Energy Efficiency Act etc. What happens to polluters who break these laws ? In Ontario most environmental offenders break the laws outlined in the EPA. When they do, the companies or persons are charged with the offenses committed and brought to trial. In “ Ontario there were 1, 546 charges laid in 1994 about half of those were convicted. ” (Parker, March, p.

36) When found guilty the judge has a number of ways to punish the offender. One of the ways are through fines. “ In the CEPA it permits fines