



Association of the Chemical Profession of Ontario
Association des chimistes professionnels de l'Ontario

GOVERNMENT OF ONTARIO PROPOSES TO DISQUALIFY CHARTERED CHEMISTS FROM BEING QUALIFIED PERSONS UNDER ONTARIO REGULATION 153/04 (EPA)

As many of you are aware, the Government of Ontario enacted legislation (Ontario Regulation 153/04 made under the Environmental Protection Act) regarding qualified persons (QPs) who conduct or supervise environmental site assessments. Qualified Persons also certify records of site conditions filed to the Brownfield Environmental Site Registry. The ACPO was instrumental in having Chartered Chemists included as Qualified Persons able to perform Phase I and Phase II site assessments including the filing of records of site conditions.

Section 5 of the Act has a “sunset” date of April 1, 2008.

The ACPO has held discussions with representatives of the Ministry of the Environment (MOE) over the past months in order to present our case that Chartered Chemists should continue to be included as QPs under any revised Act. The ACPO submitted a document that presented this position to MOE. (see ACPO web-site).

The MOE has now written draft legislation to amend section 5 of the Act regarding the definition of QPs. Under the proposed new legislation, Chartered Chemists will no longer be considered QPs for the purpose of environmental site assessment. Only Professional Engineers and Professional Geoscientists or those holding a limited licence under the Professional Engineers Act or a certificate of registration under the Professional Geoscientist Act will be considered QPs.

The proposed regulation is posted on the MOE's web-site: [Environmental Bill of Rights –Registry #010-2364](#) Chemists who are currently recognized as QP's will be allowed to continue to work only until March 31, 2009. No provision has been made for them to continue working after that date.

The ACPO believes that Chartered Chemists must be included in any new legislation. They are qualified, as much as, and possibly more so than, others to carry out site assessments and we strongly oppose this amended regulation as written.

The MOE is requesting that those who have concerns with the proposed regulation send their comments by e-mail BEFORE **FEBRUARY 24, 2008**.

We strongly encourage chemists, environmental professionals, scientists, and the public to provide their input as early as possible and to support the ACPO (Chartered Chemists) in challenging the proposed regulatory changes.

We believe further that the Premier of Ontario and the MPP's must be made aware of your opposition to the proposed amendments and the negative effects this amendment will have on the safety and well-being of the general public.

The ACPO thanks you for your support in this matter.

With regards,

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