

Dalton McGuinty, Premier,  
Legislative Building,  
Queen's Park,  
Toronto ON M7A 1A1

February 13, 2008

Dear Premier McGuinty,

**Re: Exclusion of All Technical professionals except Engineers and Geoscientists from Updated Brownfields Regulations (Ont. Reg. 153/04).**

Can you imagine if there was an Ontario law requiring that in order to be Premier of Ontario you had to be a Professional Engineer. Ridiculous? Well, the Ontario Ministry of the Environment (MOE) is planning to require that in order to conduct environmental site assessments you must be either a P.Eng or a Professional Geoscientist. This will exclude all other trained and qualified scientists including Chemists, Biologists and other university and college-trained Environmental Scientists. This is not to mention the scores of other Ontario scientists with decades of experience in contaminated site cleanups. Of course, it would also exclude graduates of the newly announced Bachelor of Technology Program.

According to the MOE website, the rationale for this seems to be that of the 866 or so Records of Site Condition submitted to the Ministry over the past few years, about 98% have been submitted by engineers or geoscientists. By that logic, since most politicians are lawyers, why not rule that only lawyers can be politicians?

The MOE website points out that engineers and geoscientists have “publicly regulated accountability mechanisms” enshrined in law. Chemists have been trying for years, under the efforts of the Association of the Chemical Profession of Ontario (ACPO), to achieve similar status in law. These efforts have been consistently rejected by the previous governments of the Province of Ontario. Are Chemists such a myself now to receive another blow, by being ruled unqualified, simply because the Province over the years didn't think it was important to legislate the practice of Chemists?

As well as the unfairness of it all, this move is simply bad for business. At a time when scientific firms are hard pressed in Ontario to find meaningful work, we don't need to be shut out of environmental work as well. For small firms such as my own, this type of needless regulation could easily signal the end of our environmental business.

The MOE website states that the new regulation “chooses professions with stringent experience and education requirements”. I would argue that the proposed changes will not “choose” individuals with the most relevant experience to lead environmental projects, but will in fact exclude many uniquely qualified individuals.

You may be interested to know that we are frequently retained as experts in Chemistry and chemical analysis to sort out the meaning of environmental analyses which form the cornerstone of submissions to the Ministry of the Environment. Analytical measurements and their interpretation are not the domain of Engineers. In fact, in our experience, engineers more often than not need help to interpret the chemical measurements on which environmental site condition reports are based. I'm not inferring anything negative about engineers, it just isn't part of their formal training. As well, under the new legislation, one doesn't even have to be an "environmental" engineer. In theory, an electrical engineer could sign off on an environmental site assessment report. How is this protecting the people of Ontario?

In short, many other professions, including Chemists, Environmental Scientists, Biologists, Agricultural Specialists, Toxicologists and others, simply by virtue of their hands-on experience or training, arguably possess qualifications as relevant as engineers when it comes to conducting and managing environmental site assessments.

Thank you in advance for taking the time to review this letter. I felt that it was important to alert you to this proposed change in the hope that you will recognize the flawed logic behind the decision, and correct it before it becomes law. In doing so you will be doing many qualified scientists a good service. For that we will thank you. As well, you won't be on the spot to explain to the new graduates of programs such as the new Bachelor of Technology program, why they are shut out of environmental work in Ontario.

Should you need any further information about this issue, please feel free to contact me at 905-634-4200 or [pchild@investigativescience.com](mailto:pchild@investigativescience.com). Additional details, including a link to the MOE site, can be found at [www.acpo.on.ca](http://www.acpo.on.ca).

Best Regards,  
**Investigative Science Incorporated**



Peter Child, Ph.D., President

CC. The Honourable John Gerretsen,