

# The Canadian Environmental Protection Act, 1999 (CEPA 1999)

October 2005

## CEPA 1999: The Management Process

CEPA 1999, How it works

The health of Canadians and our economic and social progress are fundamentally linked to the quality of our environment. Recognizing this, the Government of Canada's environmental policies, under the banner of Project Green, are linked with economic and market realities so that Canadians have a cleaner, healthier environment and continued economic growth. The *Canadian Environmental Protection Act, 1999* is one of the Government of Canada's primary tools for achieving sustainable development and pollution prevention – the goals set out through Project Green.

This info-sheet is part of a series of three that provides an overview of CEPA 1999. *CEPA 1999: The Management Process* presents the key processes employed in the Act. The others in the series provide a brief introduction to the Act — *CEPA 1999 at a Glance*, and an introduction to the main issues addressed by the Act *CEPA 1999: Focus on Issues*.



### *The CEPA 1999 management cycle — a dynamic approach to environmental management and protection*

*The complexities of protecting the environment and the health of Canadians call for a sound management process. The CEPA 1999 management process or cycle, as it is known, is made up of five integrated components — including a hub of information exchange that links the other four components.*



### ■ *Environmental protection on solid ground — research and monitoring under CEPA 1999*

CEPA 1999 calls for specific research to be conducted in support of a range of issues. For example, CEPA 1999 requires research to determine how substances are dispersed and how pollution can be prevented and controlled. Research into the impacts of substances on both the environment and human health are also mandated by the Act, including investigation of the role of substances in illness and health problems and, specifically, substances that can affect the endocrine system of humans and animals, including fish. The results of such work, as well as information gathered through monitoring changes in the environment and human health, are vital to building sound knowledge for decision making under CEPA 1999, and for informing the public, industry and other interested groups about environmental and human health issues.



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## ■ *Assessing the risk — a scientific basis for activities under CEPA 1999*

Sound science is also at the heart of assessing the impacts of substances on the environment, as well as the risks to human health of exposure to harmful substances. Risk assessment also helps to identify the sources of pollution that pose the greatest risk. In essence, risk assessment provides information on which many activities under CEPA 1999 are based. One specific aspect of risk assessment carried out under the Act is the assessment of substances — those already available for use in Canada, and those being considered for import or manufacturing — to determine whether they present risks to the environment or human health. CEPA 1999 defines a process for ensuring that the public and interested groups have adequate time and opportunity to comment on or object to the results of risk assessments before decisions are made and action is taken.

## ■ *Managing the risk responsibly and effectively*

Once a risk has been determined, decisions are made and action is planned to manage it. Under CEPA 1999, a variety of tools may be used to take the best action — action that protects the environment and human health, that is cost-effective, and that takes into account social, economic and technological factors. CEPA 1999 provides for certain instruments to be developed, ranging from regulations to the requirement to prepare and implement pollution prevention plans to guidelines and codes of practice. Other approaches, outside of CEPA 1999, such as voluntary agreements or action under other federal, provincial or territorial legislation may also be used to manage the risks.



## ■ *Following up — promoting compliance and enforcing decisions*

Follow-up to ensure that risk management decisions are carried out is as important as assessing the risk and putting the risk management tools in place. In fact, involving the public and other interested groups in the creation of effective approaches to reduce risks helps to promote awareness and to achieve high levels of compliance with the management decisions, once they are made. When non-compliance is a problem, a range of activities is used — from promoting awareness of the measures required to reduce or prevent risks, to enforcement actions. CEPA 1999 enforcement officers investigate suspected violations of the Act. Violations are managed using enforcement tools such as warnings and direction for action, as well as more serious tools, including prosecution and hefty fines upon conviction. As with all aspects of CEPA 1999, information about compliance is maintained and used to help evaluate and improve CEPA 1999 processes and action.

## ***Progressive Enforcement***

CEPA 1999 includes a number of progressive enforcement tools, such as environmental protection compliance orders, environmental protection alternative measures (i.e., alternatives to court prosecution through a negotiated agreement), as well as ticketing for offences.

*The CEPA 1999 management cycle is effective because it builds cooperation with other governments, and promotes public participation and reporting on progress into every component of the cycle.*

For further information:

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