

November 15, 2004

Mr. John Vander Doelen
Director, Workplace Insurance,
Health and Safety Policy Branch
400 University Ave., 12th Floor
Toronto, ON M7A 1T7

E-mail: aelupdateproject@mol.gov.on.ca

Dear Mr. Vander Doelen:

Thank you for the opportunity to provide comment on the proposed changes to Occupational Exposure Limits for Ontario. We have circulated the proposed changes to our members and they have raised no issues with these proposed changes. There are two concerns that we raise concerning the current review:

Process.

The sixty-day comment period is too short. Large, sophisticated organizations that have readily available occupational hygiene resources, and are aware of the ACGIH processes and the Ontario regulatory process, can assess and be prepared for the likely changes in exposure limits. However, many smaller organizations are not in a position to understand the proposed requirements, assess the impact on their operations, and determine issues with proposed limits, within such a short time frame.

We suggest that there be a “notice of intent” for new proposed limits that is published by the Ministry a year in advance of the intended date of implementation. This would be combined with an intensive campaign by both the Ministry and the Health and Safety Associations to raise awareness in Ontario organizations, and provide tips and tools for organizations to identify substance usages and potential impacts of the proposed limits. This process would use education and an opportunity to participate in the regulatory setting process to increase buy-in and support for the changes being made.

With this initiative we request that there be a minimum of 6 months before the new limits come into effect to allow for organizations to make necessary changes.

1. Crystalline Silica – Quartz

We understand that the Mining sector is concerned with the proposed limit for crystalline silica. This is also a concern for manufacturers that carry on construction activities (concrete grinding, aggregate handling), for

manufacturers handling silica-containing substances (sandblasting, aggregate blasting, foundries, etc.), and for manufacturers of glass and glass products.

We support their concerns, and encourage the Ministry to defer implementation of new limits for this substance, pending discussions and further review with those concerned.

Our limited feedback is a sign that the new basis for establishing exposure limits is understood and accepted by large industry. However, smaller industry is not as sophisticated or prepared. The process for introducing revised limits needs to reach out to smaller employers, raising awareness, giving time for smaller employers to understand the impact on their operation, and giving the opportunity for them to participate in the exposure limit decision-making. As well it is crucial that when issues are raised, such as with crystalline silica, that the Ministry takes the time to work the issues with those involved.

Thank you for this opportunity to comment on this proposal and we look forward to continuing involvement in consultations on this Occupational Exposure Limits initiative.

Yours very truly,

A handwritten signature in black ink, appearing to read "Ian Hancock". The signature is fluid and cursive, with a large initial "I" and a long, sweeping underline.

Vice-President
Ontario Division