

May 15, 2020

Resource Development Coordinator
MNRF – Natural Resources Conservation Policy Branch
Resource Development Section
300 Water Street, 2nd Tower
Peterborough, ON
K9J 3C7

RE: Proposed Amendments to Ontario Regulation 244/97 and the Aggregate Resources of Ontario Provincial Standards under the Aggregate Resources Act
ERO Number: 019-1303

We would like to thank you for the opportunity to make a submission on the proposed amendments to Ontario Regulation 244/97 and the Aggregate Resources of Ontario Provincial Standards under the Aggregate Resources Act.

The Cement Association of Canada (CAC) is the voice of Canada's cement industry and includes five companies with major facilities in Ontario: CRH Canada Inc.; Lehigh Hanson; Lafarge Canada; St. Marys Cement; and Federal White Cement. We share a unique position of being producers of cement, concrete and aggregates in the province.

First, we would like to congratulate the Ministry on these amendments. As noted in the posting, the last changes were made in 1997 and updates to these regulations are long-awaited and will help to ensure both the supply of aggregate in the province and the ongoing competitiveness of our industry. As we begin to come out of this unprecedented time of the COVID-19 pandemic we believe construction will play a critical role in the economic recovery of the province.

We work closely with the Ontario Stone, Sand and Gravel Association (OSSGA) and we would like to express our support for their detailed submission. With many joint members, their comprehensive submission to the EBR posting details common concerns.

We commend the Ministry for proposing to limit agencies from reviewing items that are outside their mandate and remove items that are governed by other legislation. We have been advocating through the government's red tape reduction exercise that any duplication should be eliminated in order to streamline processes. We are fully supportive of any amendments outlined in this proposal to do that. We are also pleased that updates will be consistent with the Provincial Policy Statement and the four Provincial Plans to reduce overlap and ensure consistency and clarity.

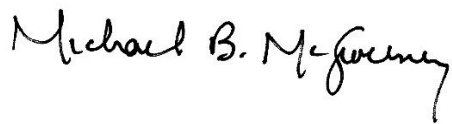
We feel it is also important to highlight and express our concerns, similar to OSSGA, that while the amendments suggest eliminating duplication of reviews and overlapping regulations, the regulations are also suggesting to add oversight to some areas that are already covered by other Ministries (ie. dust and noise are already regulated by MECP). This goes against the province's desire to reduce red tape and regulatory burden.

Finally, the Cement Association of Canada has been promoting the increased use of recycled aggregate for several years. We applaud the amendment that proposes that recycling tonnage not be included in the annual tonnage for existing licenses. However, we believe that more needs to be done to support the use of recycled aggregate. As we look to the role of construction in the economic recovery, this will help take pressure off primary aggregate extraction while still ensuring Ontario has a sufficient supply to meet its needs now and in the future.

And while beyond the scope of this posting, we want to again reiterate our desire to remove any fee increases on aggregate used in cement manufacturing or transportation of aggregate that does not make use of any public infrastructure (water or rail). This is an ongoing issue that we have raised over the past two years and hope that the Ministry will be looking at the fee structure in the months ahead. ARA fees are meant to cover the cost of public infrastructure impacts of quarrying (wear and tear from heavy trucks on public roads), however four of the five Ontario cement manufacturing facilities have their primary quarries for cement production onsite at their respective plants (i.e. private property). The fifth has its primary quarry for cement production adjacent to Lake Ontario and it ships the raw material to its cement plant without making any use of any public transportation infrastructure. As such, there is no impact on any municipal transportation infrastructure. We are requesting an exemption to any fee increases on aggregate used in cement manufacturing (carrying the onsite raw material aggregate to the adjacent cement plant) or transportation of aggregate that makes no use of public infrastructure (shipping).

We appreciate the opportunity to provide this submission and again reiterate our support for the detailed submission from the Ontario Stone, Sand and Gravel Association. If you have any questions or need additional feedback, we would be happy to discuss in detail.

Sincerely,



Michael McSweeney
President & CEO
Cement Association of Canada