Modernization of Approvals Project

Project Overview

January 2011

Vision for Modern Environmental Approvals

A modern environmental approvals process:

- Enhances environmental protection based on potential impact to the natural environment

- Is transparent and electronically accessible

- Reduces administrative burden on business

- Promotes continuous improvement in government and business

- Enhancing process to foster innovation and adapt ideas of partners

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Modern Environmental Approvals Process
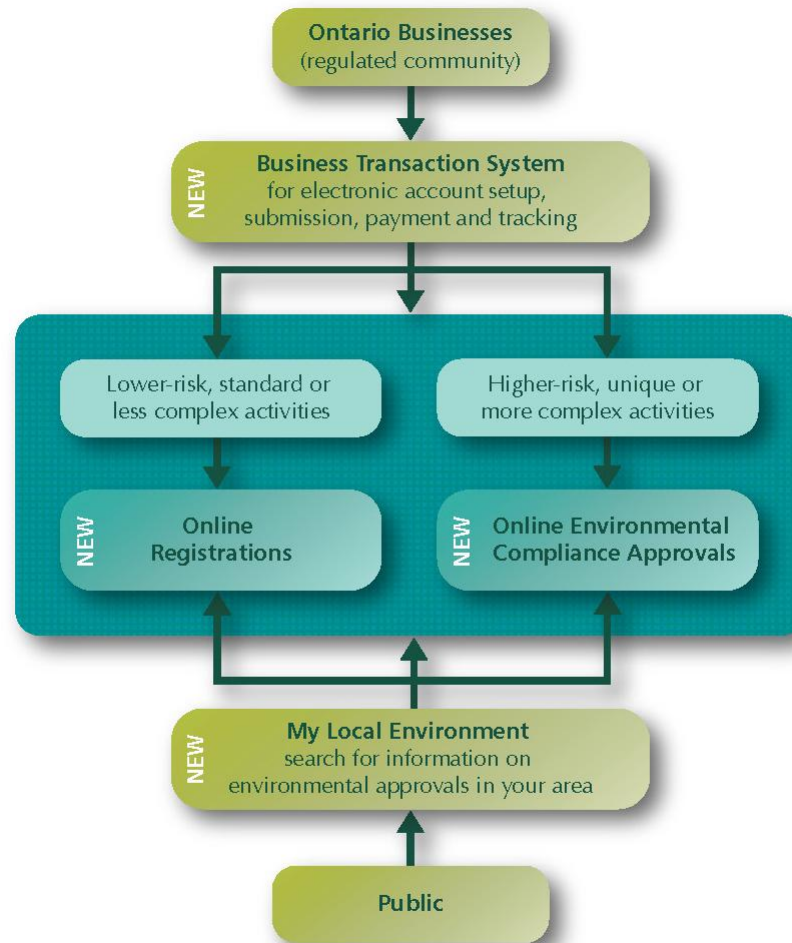
Electronic service delivery

Two path process for
protecting the environment

Public transparency

Ontario Businesses
(regulated community)

NEW **Business Transaction System**
for electronic account setup,
submission, payment and tracking

Lower-risk, standard or
less complex activities

Higher-risk, unique or
more complex activities

NEW **Online
Registrations**

NEW **Online Environmental
Compliance Approvals**

NEW **My Local Environment**
search for information on
environmental approvals in your area

Public

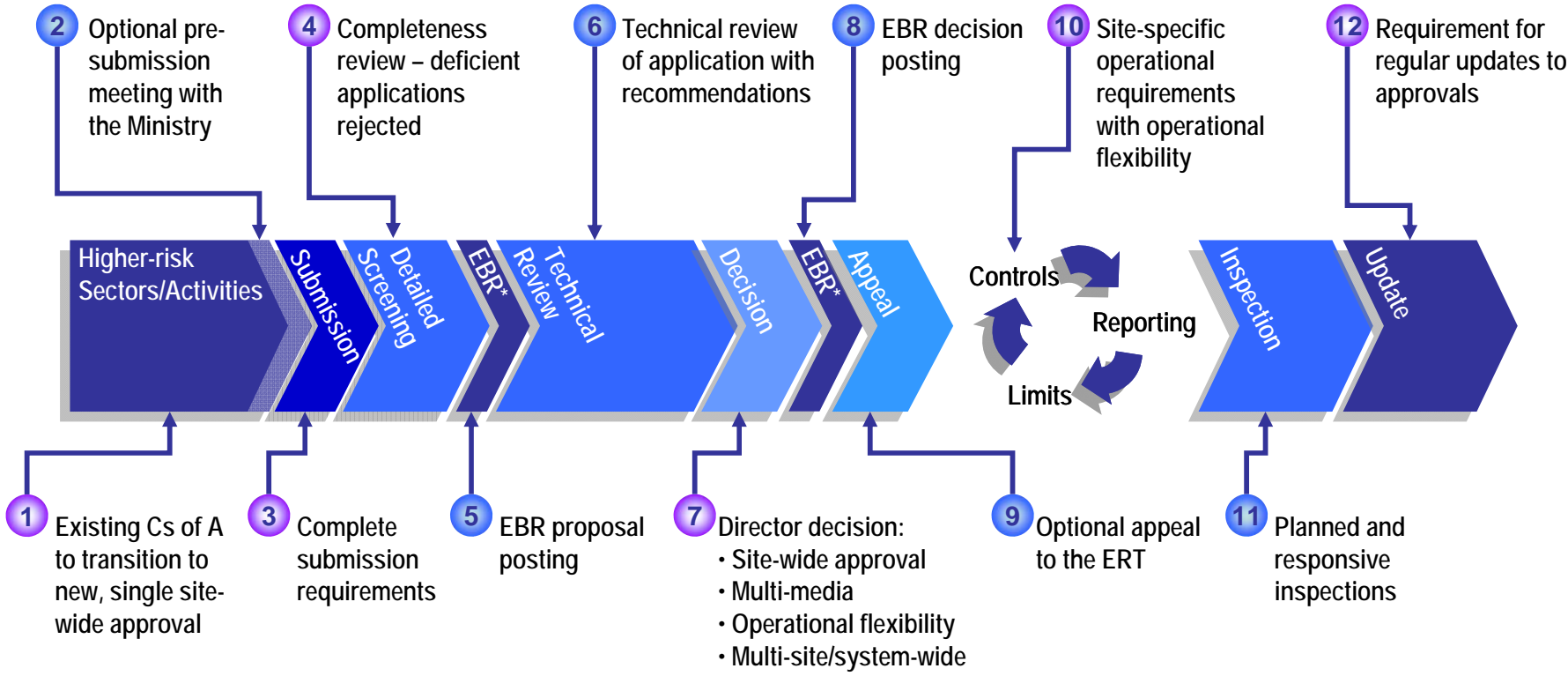Ontario

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Two Path Process

Environmental Compliance Approval (ECA)

- Single multimedia approval that can be customized to reflect the activities and emissions of a specific business

- Single approval for multiple activities or locations

- Flexible operating rules for owners and operators

- Level playing field for old and new businesses

Environmental Activity & Sector Registry (EASR)

- Registration is an alternative to obtaining approval for prescribed sectors and activities

- Sufficient analysis, justification and stakeholder input will be in place to allow the Ministry to decide which sectors are to go on the Registry

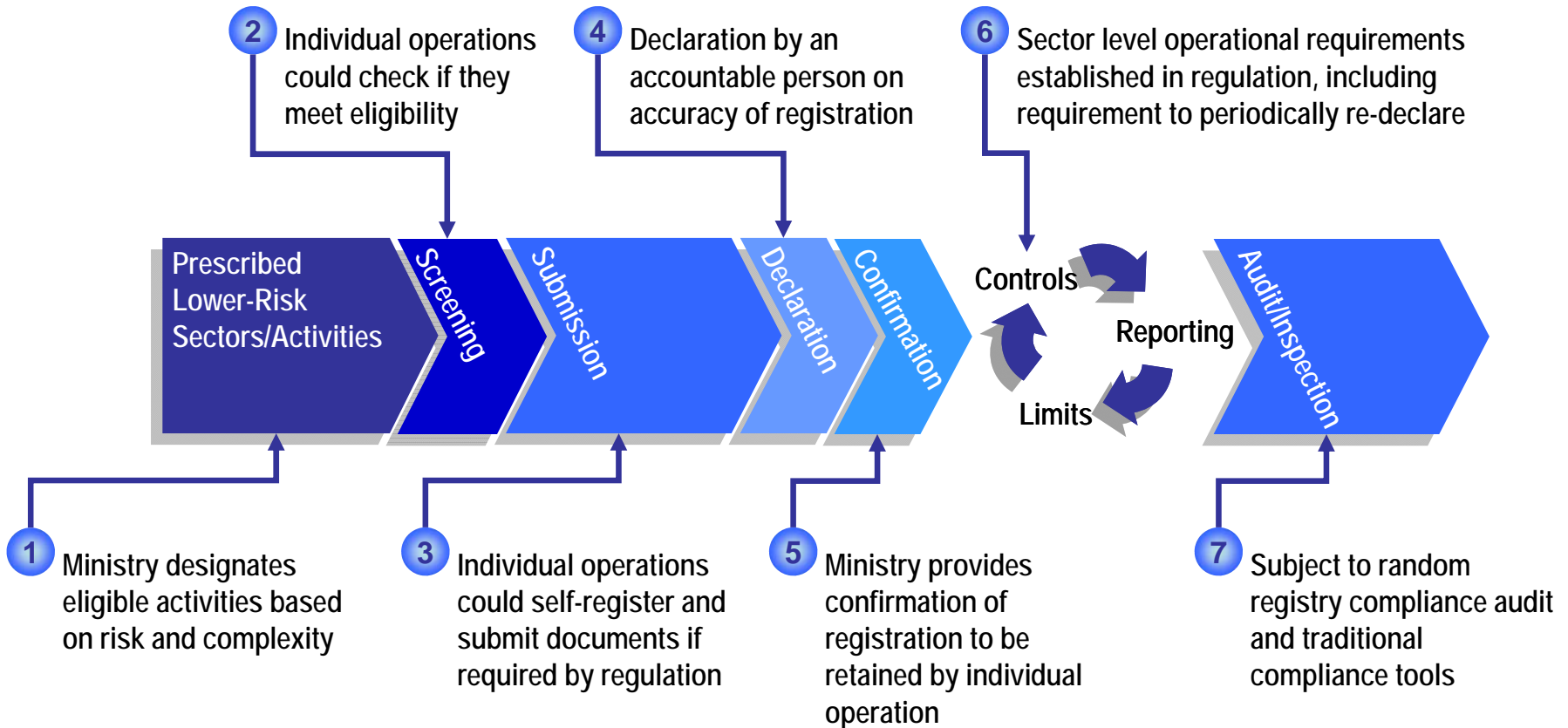- Supported by tools that keep registrations up-to-date with environmental standards and maintain compliance

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ECA Process

2 Optional pre-submission meeting with the Ministry

4 Completeness review – deficient applications rejected

6 Technical review of application with recommendations

8 EBR decision posting

10 Site-specific operational requirements with operational flexibility

12 Requirement for regular updates to approvals

Higher-risk Sectors/Activities · Submission · Detailed Screening · EBR* · Technical Review · Decision · EBR* · Appeal · Controls · Reporting · Limits · Inspection · Update

1 Existing Cs of A to transition to new, single site-wide approval

3 Complete submission requirements

5 EBR proposal posting

7 Director decision:
· Site-wide approval
· Multi-media
· Operational flexibility
· Multi-site/system-wide

9 Optional appeal to the ERT

11 Planned and responsive inspections

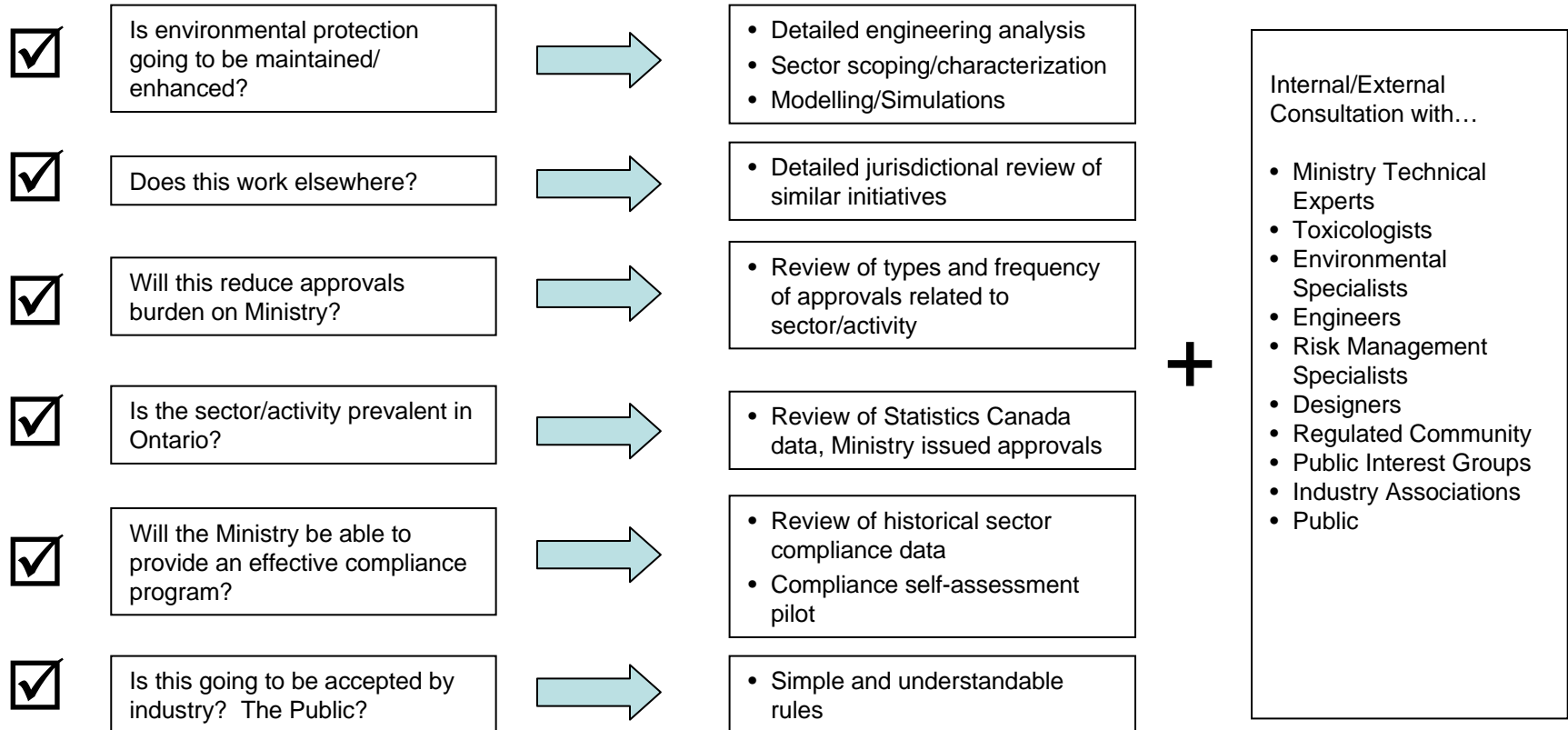# Environmental Activity & Sector Registry (EASR)

- Registration is an alternative to obtaining approval for prescribed sectors and activities

- Intended for activities with potential for lower environmental impacts, standards or less complex activities

- Sufficient analysis, justification and stakeholder input will be in place to allow the Ministry to decide which sectors are to go on the Registry

- Supported by tools that keep registrations up-to-date with environmental standards and maintain compliance

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EASR Process

2 Individual operations could check if they meet eligibility

4 Declaration by an accountable person on accuracy of registration

6 Sector level operational requirements established in regulation, including requirement to periodically re-declare

Prescribed Lower-Risk Sectors/Activities

Screening

Submission

Declaration

Confirmation

Controls

Reporting

Limits

Audit/Inspection

1 Ministry designates eligible activities based on risk and complexity

3 Individual operations could self-register and submit documents if required by regulation

5 Ministry provides confirmation of registration to be retained by individual operation

7 Subject to random registry compliance audit and traditional compliance tools

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Selection of Registry Sectors and Activities

Assessed through…

☑ Is environmental protection going to be maintained/ enhanced?

➡
- Detailed engineering analysis
- Sector scoping/characterization
- Modelling/Simulations

☑ Does this work elsewhere?

➡
- Detailed jurisdictional review of similar initiatives

☑ Will this reduce approvals burden on Ministry?

➡
- Review of types and frequency of approvals related to sector/activity

☑ Is the sector/activity prevalent in Ontario?

➡
- Review of Statistics Canada data, Ministry issued approvals

☑ Will the Ministry be able to provide an effective compliance program?

➡
- Review of historical sector compliance data
- Compliance self-assessment pilot

☑ Is this going to be accepted by industry? The Public?

➡
- Simple and understandable rules

+

Internal/External Consultation with…

- Ministry Technical Experts
- Toxicologists
- Environmental Specialists
- Engineers
- Risk Management Specialists
- Designers
- Regulated Community
- Public Interest Groups
- Industry Associations
- Public

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Assessing Impact of Possible Registry Regulations

Effort to Business

SEVERAL CRITERIA AND STUDIES

SIMPLE AND FEWER RULES

Need for Compliance Oversight

STANDARD PROCESS, LESS COMPLEX

UNIQUE, COMPLEX PROCESS

ECA

REGISTRY

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Proposed Registry Sectors/Activities

Group 1

- Autobody shops
- Comfort heating (HVAC)
- Printing
- Standby Power

EBR summary posting of technical requirements - December 2010

Group 2

- Collection/Hauling of Waste (e.g. municipal garbage)
- Ready-mix concrete (e.g. concrete batch plants)
- Concrete pipe/block manufacturing (e.g. concrete poles)
- Stormwater activities (e.g. green roofs)

Potential posting of technical requirements - Spring 2010 (TBD)

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Compliance

Specific legislative changes made in the *Open for Business Act, 2010* provide for:

- a regulatory requirement for registrants to maintain and periodically update their registrations,

- The ability of the Director to require complete and accurate registration information to be filed,

- The ability for a provincial officer to issue a notice related to non-compliance with the requirements of the EASR regulations,

- The ability for a diretor or provincial officer as authorized by regulation, to issue administrative penalties for specific violations, and

- The ability of the director to suspend and/or remove a registration from the EASR.

The Ministry will also be conducting reviews of registrations filed on the EASR (through audits and/or inspections) to promote and ensure compliance.

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Public Access

- Public access to information about environmental approvals available online to complement the existing EBR
  - o Enhances public transparency by making Environmental Compliance Approvals available online
  - o Free self-service access
  - o The electronic library has over 45,000 records and thousands more added yearly
- Phased implementation between September 2011 and September 2012

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External Partnership Engagement

- Established Stakeholder Roundtable made up of a cross section of environmental non-government and industry organizations meets regularly to provide advice to government and preview major components of program development

- Ad-hoc meetings with organizations upon request or at key project milestones

- Engagement with Aboriginal communities through the Aboriginal Technical Working Committee, information sharing sessions, and one-on-one meetings with Aboriginal communities upon request to discuss technical details of program development and implementation

- Continue to consult with external technical and subject matter experts through technical workshops

- Upcoming EBR/Regulatory registry postings for wider public input

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Phased Implementation

- **September 2011** – Introduction of some limited tools, process and online systems to support Registrations and Environmental Compliance Approval review

- **September 2012** – New Approvals Process and fully operational online support systems open for business

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