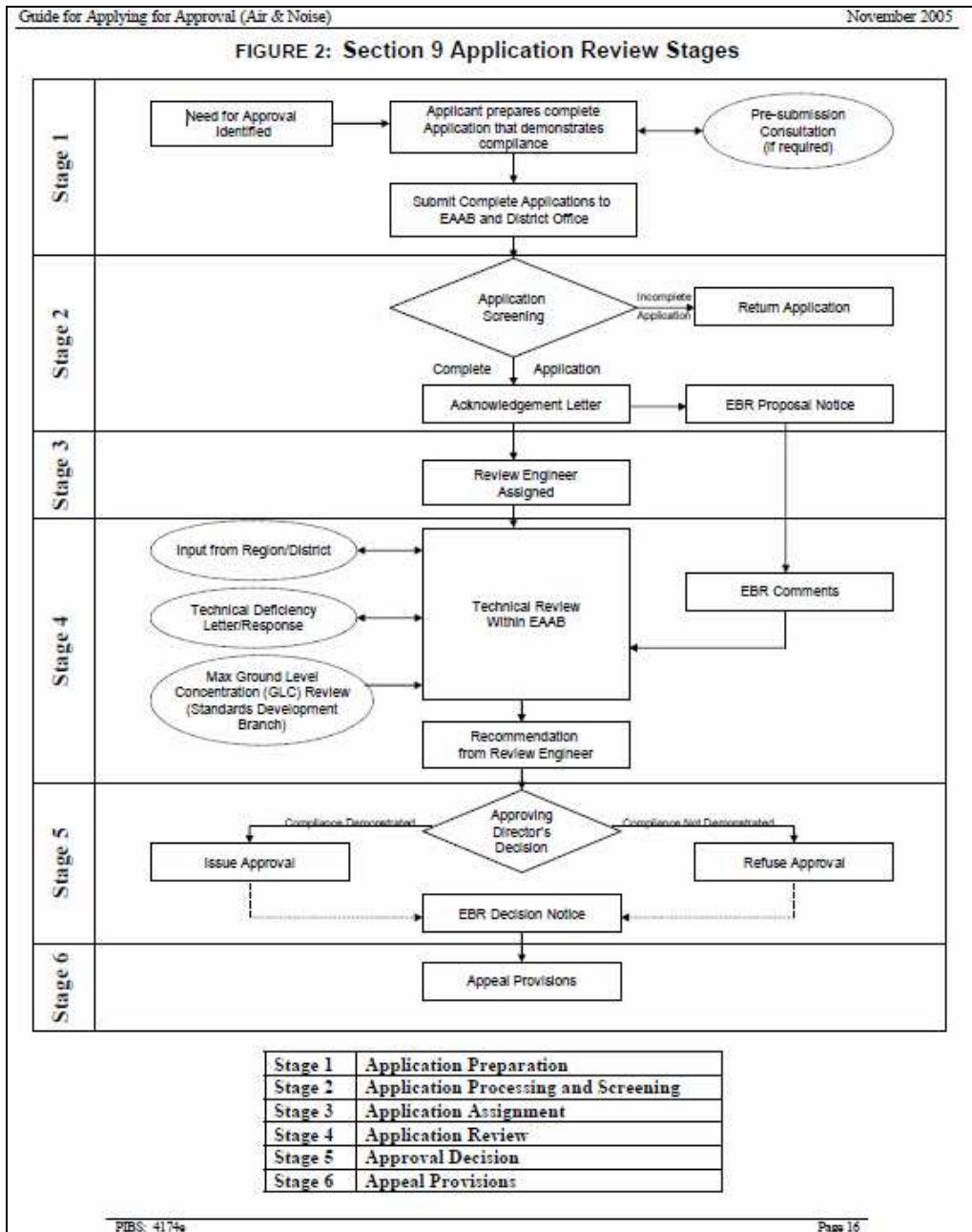


# Ontario Air and Noise Best Practices

<b>Topic</b>	<b>Application Tracking</b>	<b>Date:</b> <b>Version 1.0</b>
<b>Purpose</b>	<b>To provide guidance on how to track a s.9 approval through the application process</b>	<b>Page 1 of 5</b>

Applications are processed in chronological order upon receipt through a six stage process as illustrated in the figure below.



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For each stage in the process, there may be the need to engage or consult with EAAB personnel. The following sections summarize the key points of contact for tracking the approval through the process.

### **Stage 1 – Application Preparation**

The applicant is responsible for preparing a complete application in order to obtain approval under Section 9 of the EPA. The work to be completed in this stage is independent of the ministry process; however, there may be the need to contact the EAAB or the local district office to discuss the approval requirements if the project involves significant local concerns.

**EAAB:** 416-314-8001

**MOE Website:** <http://www.ene.gov.on.ca/envision/org/op.htm#Reg/Dist>

### **Stage 2 – Application Processing and Screening**

Applications are acknowledged and screened for completeness by the Application Processing Unit (APU) of the EAAB. This process will be completed within two weeks from the receipt of the application. The applicant and the applicant's technical contact designated on the application form will receive a standard acknowledgement letter after the application is found to be complete. The acknowledgement letter will provide a ministry reference number and an estimated number of weeks until the application will be assigned to a ministry technical reviewer.

If the application is missing minor information the acknowledgement letter will list the required information to be submitted. If the requested information is not received within the given time frame the application will be returned.

If the application is missing key elements the application will be returned immediately.

Proponents can track the status of the application during this stage of the process by contacting the following:

**EAAB:** 416-314-8001

**Application Processor:** Contact information will be provided in the acknowledgment letter.

### **Stage 3 – Application Assignment**

Applications will be held in chronological order, until based on current unit workload, a ministry review engineer is available to commence the review of the application.

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Proponents can track the status of the application during this stage of the process by contacting the EAAB and quoting the ministry reference number assigned to the application.

**EAAB:** 416-314-8001

### Stage 4 – Application Review

Applications are reviewed by review engineers to assess if the application demonstrates compliance with the EPA and applicable Regulations and Guidelines as outlined in this Guide to Applying. The EAAB has split the review of Section 9 applications between two units in the branch as follows:

- Streamlined Review Unit (SRU) which reviews applications for designated equipment or process with known and easily quantifiable environmental impacts; and
- Air and Noise Unit (ANU) which reviews all other applications.

Proponents can track the status of the application during this stage of the process by contacting the EAAB and quoting the ministry reference number assigned to the application. Proponents can also contact the review engineer assigned to the file at this stage.

**EAAB:** 416-314-8001

**Application Reviewer:** Contact information can be obtained from the EAAB 416-314-8001

### Stage 5 – Approval Decision

The Section 9 Director will consider the recommendation from a review engineer and make a decision.

Proponents can track the status of the application during this stage of the process by contacting the review engineer assigned to the file.

**EAAB:** 416-314-8001

**Application Reviewer:** Contact information can be obtained from the EAAB 416-314-8001

### Stage 6 – Appeal Provisions

Section 139 of the EPA allows the applicant to require a hearing by a tribunal if the Director:

- refuses to issue or renew or cancels or suspends a CofA;
- imposes terms and conditions in issuing a CofA; or
- alters the terms and conditions or imposes new terms and conditions of a CofA after it is issued.

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Applicants have fifteen days after the service of the CofA or refusal of the application to file an appeal.

Information on how to file an appeal is included with each CofA or refusal letter issued by the ministry.

There may be instances when general questions related to s.9 approvals arise. Air and noise duty officers are available to answer questions related to the s.9 approvals process. Contact the EAAB and ask for an air or noise duty officer.

**EAAB:** 416-314-8001

Understanding the roles of the various EAAB staff can also aid in directing questions to the proper individuals. The following sections identify the key points of contact in the approval process and their role.

**Customer Service:** answer general questions about the approval process. Technical questions will be directed to the appropriated EAAB or MOE staff.

**Air and Noise Duty Officers:** answer field technical questions pertaining to s.9 EPA applications. The duty officers will answer questions about specific equipment, regulations, guidance, etc. If the question needs to be referred to another branch or person with more expertise, they will direct the question to the appropriate person. Please note, the Duty Officers will not make legal interpretations and will not give consulting advice.

**Application Processing:** receive and screen all applications to ensure they meet all MOE requirements.

**Application Assignment:** applications are assigned based on a number of factors: MOE priorities (e.g., infrastructure and energy projects, etc.), chronologically and environmental significance. In addition, available resources and expertise are factored in.

**Review Engineer:** review applications to assess compliance with the regulations, acts, guidelines and policy. Once compliance is demonstrated the review engineer recommends approval to the Director.

**Director:** makes the final decision to approve an application and issue the CofA.

**Local District Manager:** provides input to EAAB on approval matters, as well as handles all other aspects of compliance, abatement, enforcement, issue management, complaints, etc.

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### **References:**

Ontario Ministry of the Environment. November 2005. *Section 9 Environmental Protection Act R.S.O. 1990, Guide to Applying for Approval (Air & Noise), Version 2.0*. PIBS 4174e

For additional information please contact a member of the Best Practices Committee.