



Welcome to the October 20, 2010 Practitioners Group Meeting

Air Practitioners Meeting
October 20, 2010

Logistics

Washrooms

Refreshments

Lunch

Questions

Who are we?

Unique group of environmental professionals and representatives from the MOE

100 active and corresponding representatives

Encouraged by AWMA-OS

What do we do?

Informal forum to discuss issues related to regulatory compliance

Refinement of regulations, guidance materials and best practice documents

Increased clarity of requirements and quality of work

Ontario Air and Noise Best Practices		
Topic	Application Priority	Date: June 3, 2009 Version 1.1
Purpose	To identify types of projects that are eligible for priority review from the Environmental Assessment and Approvals Branch	Page 1 of 2

The Environmental Assessment and Approvals Branch (EAAB) is responsible for reviewing applications for approval of facilities under the *Environmental Protection Act* (EPA), the *Ontario Water Resources Act* (OWRA) and related environmental legislation. A chronological order upon receipt following the process outlined in Figure for Approval (Air and Noise).

Applicants may request priority assignment to a reviewer in limited case government initiatives which include:

- importance to the provincial energy supply;
- provincially significant new waste management capacity;
- economic development; and
- equipment/processes that would significantly reduce the environment facility or are part of an abatement plan.

Upon receipt, applications that meet these criteria will be assigned to review input from internal ministry comments will be coordinated by EAAB to Applications that do not meet these criteria will not be assigned to a reviewer.

Applicants requesting priority for a project that fits one of the above categories the Ministry. The preconsultation should include both the local District Council EAAB. In order to get priority status an applicant must get the concurrence of the Ministry.

The Ministry will not assign a priority to applications that are incomplete documentation demonstrating compliance. Incomplete applications may be resubmitted.

Practitioners with priority applications are expected to provide timely review information from the Ministry in order to maintain the priority status.

The Environmental Bill of Rights requires minimum public notification in the Registry. The EAAB can not process applications faster than these timelines. The Ministry will take the time necessary to address concerns raised by the public. To ensure a timely process, applicants should incorporate meaningful public concerns into their applications. Practitioners will consider meaningful public concerns as a way to facilitate a timely resolution to public concerns. For requirements refer document 3323e titled "The Requirements of The Environment For Prescribed Instruments: Guide For Applicants for EPA s. 9 EPA s. 27 OWRA s. 53 Applications (November 1994)" on the Ministry Website.

Notes on 2010Feb19 Meeting re PRACTICAL CONCERNS OVER O.REG 419 LINKAGES WITH S9 APPROVALS

The participants were:

- from the Standards Development Branch: Dale Henry, Jason Fani and Mona Cravat.
- from the Approvals Branch: Ian Parrott
- from the Practitioners: Paul Complin, Sandy Willis, and Tony van der Vooren

The meeting resulted from a November 8, 2009 submission by Tony van der Vooren on behalf of the practitioners (attached) requesting a meeting to discuss practical concerns over O. Reg. 419/05 linkages with EPA section 9 approvals.

Three specific issues were discussed within the Theme of increasing proponent constraints:

1. Approvals applications for proposed new facilities or new processes current standards;
2. Approvals Applications for new facilities with contaminant emissions proposed but not promulgated; and
3. Approvals implications of Alternate Standards determinations.

Proposed facilities that cannot meet current standards

The issue in these cases is that there is no pathway for these projects and, in any case, there is insufficient time, and information for the process proceeding, a refined assessment has been done to support that the standards and certain process is required to identify whether the process is approved cannot meet standards can fully engage in the Alternate Standards process technology standards in a timely manner and continue to operate in the interim.

Proposed facilities with contaminant emissions that have proposed standards

The issue in these cases is the application of proposed (i.e. future) standards are promulgated and during the phase-in period after promulgation process calls for a phase-in period (with implicit reference to existing standards) on a demonstration that the proposed concentration will be met before no phase-in time and in fact proposals become de-facto standards with constraints are very similar to the proposed facilities that cannot meet certain process is required to identify whether the process is approved clearly that the plan is to not use the future standard immediately in any case.

The resolution to both of the above issues might be the development of technology options (e.g. BACT), comparing the results to existing and decision on acceptable technology on an accelerated schedule allow projects.

Approvals implications of Alternate Standards determinations

The issue in these cases is how Approvals process an application that standards process or is part of a Sector Based process after these facilities cannot be in compliance with one or more standards.

There was also some brief discussion on emission data quality issues and resolving data quality are required.

It was agreed the start up/shut down/malfunctons discussions will be needed and consultation with industry stakeholders continues. Both SDB and Approvals restated their offer to work with MOE to assist in developing a practical approach.

The meeting participants will be invited to an update on these issues at the next meeting to be scheduled in the next 3 months.

May 17, 2010

Francesca Millescamps
Senior Policy Adviser
Ministry of the Environment
Integrated Environmental Policy Division
Strategic Policy Branch
Toxics Reduction Project
135 St Clair Avenue West, Floor 5
Toronto Ontario
M4V 1P5

Email: Francesca.millescamps@ontario.ca

Re: EBR Registry Number 010-9349 Proposed Amendments to Ontario Reg. 455/09 and Proposal for Enhanced Planning under the Toxics Reduction Act (TRA)

Dear Ms. Millescamps:

The Ontario Air Practitioners Group appreciates the opportunity to comment on the proposed amendments to Ontario Reg. 455/09 and Proposal for Enhanced Planning under the Toxics Reduction Act. Our particular focus of this submission is to discuss the role and responsibilities of the Toxics Substance Reduction Planners (TSRPs).

Who We Are

The Ontario Air Practitioners Group (Practitioners) are environmental professionals and representatives from the Ministry of the Environment (MOE) that gather from time to time to meet to informally discuss issues related to regulatory compliance. The group has developed guidance materials, best practice documents, and has provided a discussion forum and input for the practical aspects of regulatory compliance for S9 approvals and O.Reg. 419/05. This approach has proven useful to both Practitioners and the different branches within the MOE and has resulted in an increased quality of work submitted to the MOE. Some of this work has facilitated interpretation by various branches within the MOE regarding the language contained within the Environmental Protection Act and associated regulations.

With over 100 active and corresponding representatives from consulting firms and industries whose day-to-day roles are heavily involved in the permitting process and compliance, we are in a unique position to offer a combined experience that can assist in developing effective and meaningful regulations and associated guidance materials.

While the current focus of the Practitioners has primarily been on air certificates of approvals, we foresee that many of the Practitioners could also be taking on the role of Toxics Substance Reduction Planners (TSRPs) due to our familiarity with assessing processes and associated contaminant emissions. Many of the Practitioners have experience in toxics reduction, have attended the TRA information sessions, and are advising our clients of the impacts of the regulatory requirements. We will be most impacted by the requirements associated with the TSRPs and have limited our discussion to these elements.

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Who else?

More and Broader representation

Interested parties

Best Practices

pcomplin@ortech.ca

Water and Noise

**Ontario Air Approval Practitioners Meeting
Agenda 2010Oct20
Auditorium, 125 Resources Rd, Etobicoke, ON, M9P3V6**

Time	Topic	Team
0800	Introductory Remarks	Paul Complin, ORTECH Ian Parott, EAAB
0820	Approvals Initiatives Contaminants without Limits Noise Screening NPC 300	Ian Greason, EAAB Alice Verbaas, EAAB
0930	Break	
1000	Approvals Initiatives (cont'd) Application Intake and Screening Air Comprehensives ACME Updates Best Practices Renewable Energy Approval	Derek Sullivan, EAAB Sarah Tebbutt, CRA Barbara Sylvestre-Williams, EAAB REA
1200	Lunch	
13:00	Other Initiatives New Standards Program CofA with Alternate Standards Start up, Shut down and Malfunctions Combined Ambient Monitoring and Modelling	Tony van der Vooren, AMEC Sandra Ausma, RAI
1415	Break	
1445	Other Initiatives (cont'd) Toxics Reduction Cumulative Effects Approvals Modernization	Cathy Mortimer, TRP Sandy Willis, SENES Tim Krsul, MOE EPD
1600	Adjourn	

Comments, Issues or Concerns?

Tony van der Vooren:

tony.vandervooren@amec.com

Sandy Willis: swillis@senes.ca

Paul Complin: pcomplin@ortech.ca

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