

Air Emissions EASR Compliance

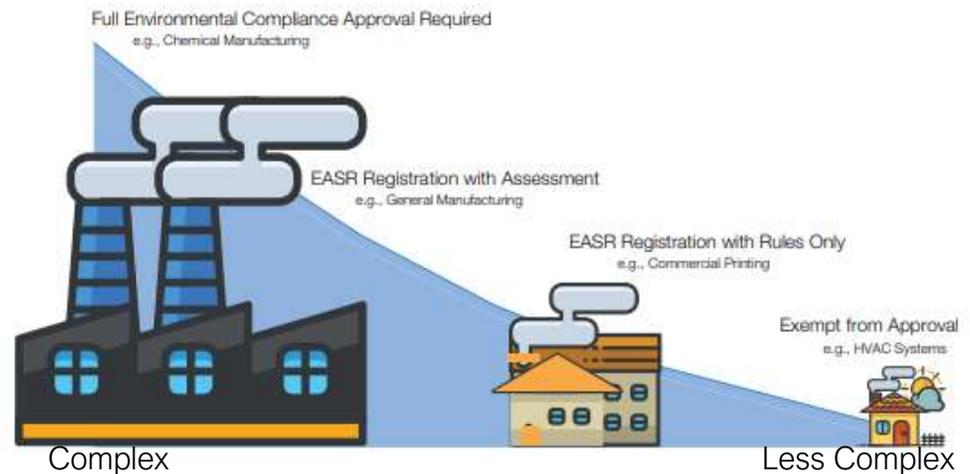
Presentation to Air Practitioners
April 4, 2019

Purpose

- Provide an update on activities the ministry has taken to assess compliance on facilities registered to the Air Emissions Environmental Activity and Sector Registry (EASR).

Air Emissions EASR Purpose

- The Air Emissions EASR regulation came into force in January 2017 to create a streamlined permissions process for less complex facilities.
 - Eligible Air Emissions EASR facilities are removed from the environmental compliance approval (ECA) process and based on an external assessment are provided a permission through the EASR registration process.
- The changes to ministry regulations in January 2017 also included further exemptions from permissions for some facilities.
- The Air Emissions EASR process is dependent on external Licensed Engineering Practitioners (LEP) who are responsible for the assessment of environmental impact.



Registration Requirements

Prior to registration, all facilities must have:

- ❑ EASR Emissions Summary and Dispersion Modelling (ESDM) report* and report supplement
- ❑ The Emission Summary Table is required to be filed electronically in the EASR with the registration
- ❑ Noise report*
- ❑ Odour screening report

If required for the site, facilities must also have these prior to registration:

- ❑ Best management practices plan (BMPP) for fugitive dust control*
- ❑ BMPP for odour*
- ❑ Odour control report (OCR)*
- ❑ Combustion equipment statement(s)



*Ontario Regulation 1/17
requires LEP signoff

Assessing Impact

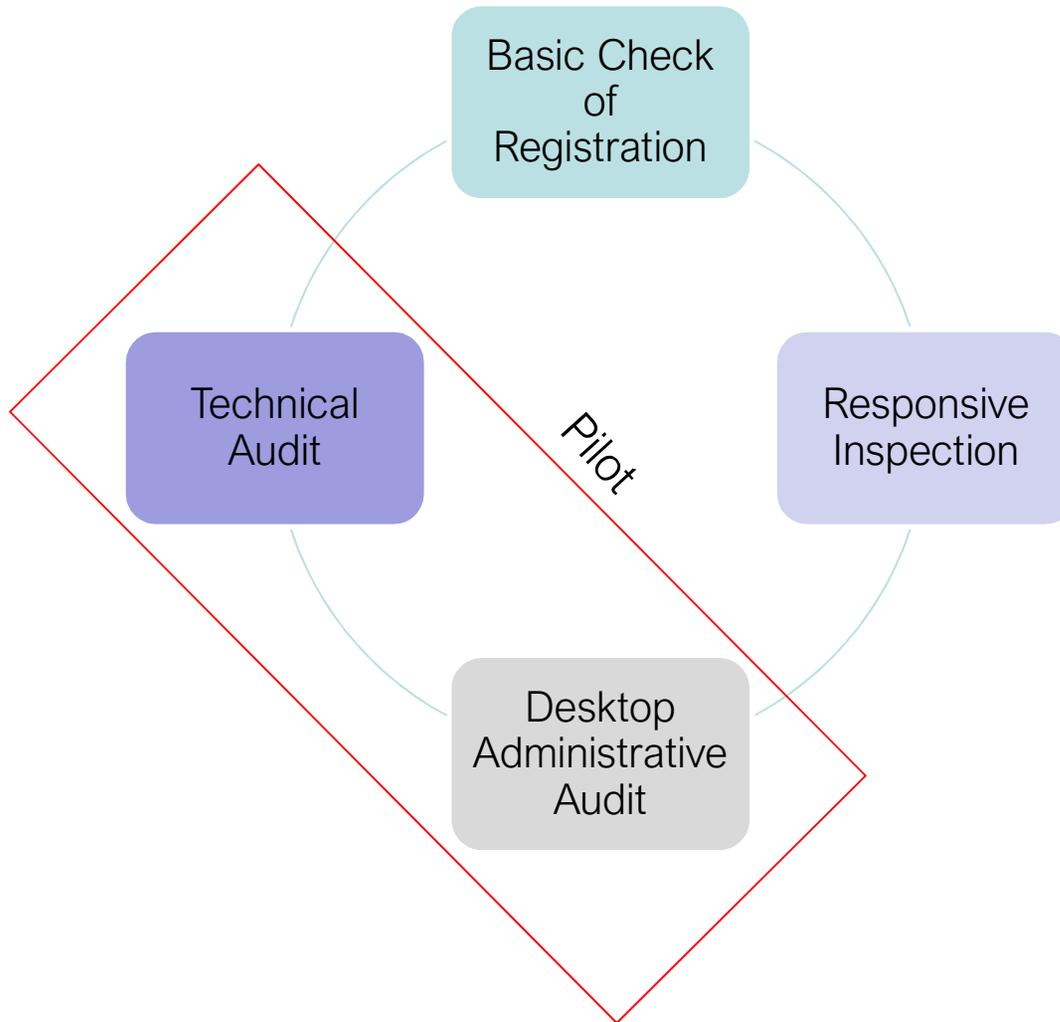
Environmental Compliance Approvals (ECA)

- Environmental consultants, with facilities, prepare an application to identify the potential environmental impacts from their facility.
- The consultants assess whether to consider odour and fugitive dust as outlined in ministry guidance.
- Odour and fugitive dust reporting may be requested by ministry staff during the review of the ECA.

Air Emissions EASR

- LEPs are responsible for preparing and signing/stamping reports meeting ministry guidelines and include all prescribed content identifying the impacts of the facilities to the environment.
- Odour screening report is mandatory and conditions when a BMPP or OCR are required are prescribed.
- District Offices have the ability to require additional work through Notices in the regulation at any time (see Appendix).

Ministry Compliance Activities



- Over the past year and a half, ministry staff have completed different compliance activities at registered facilities.
- Last May, the ministry began a pilot audit to check the efficacy of the Air Emissions EASR process and registration compliance with the requirements.

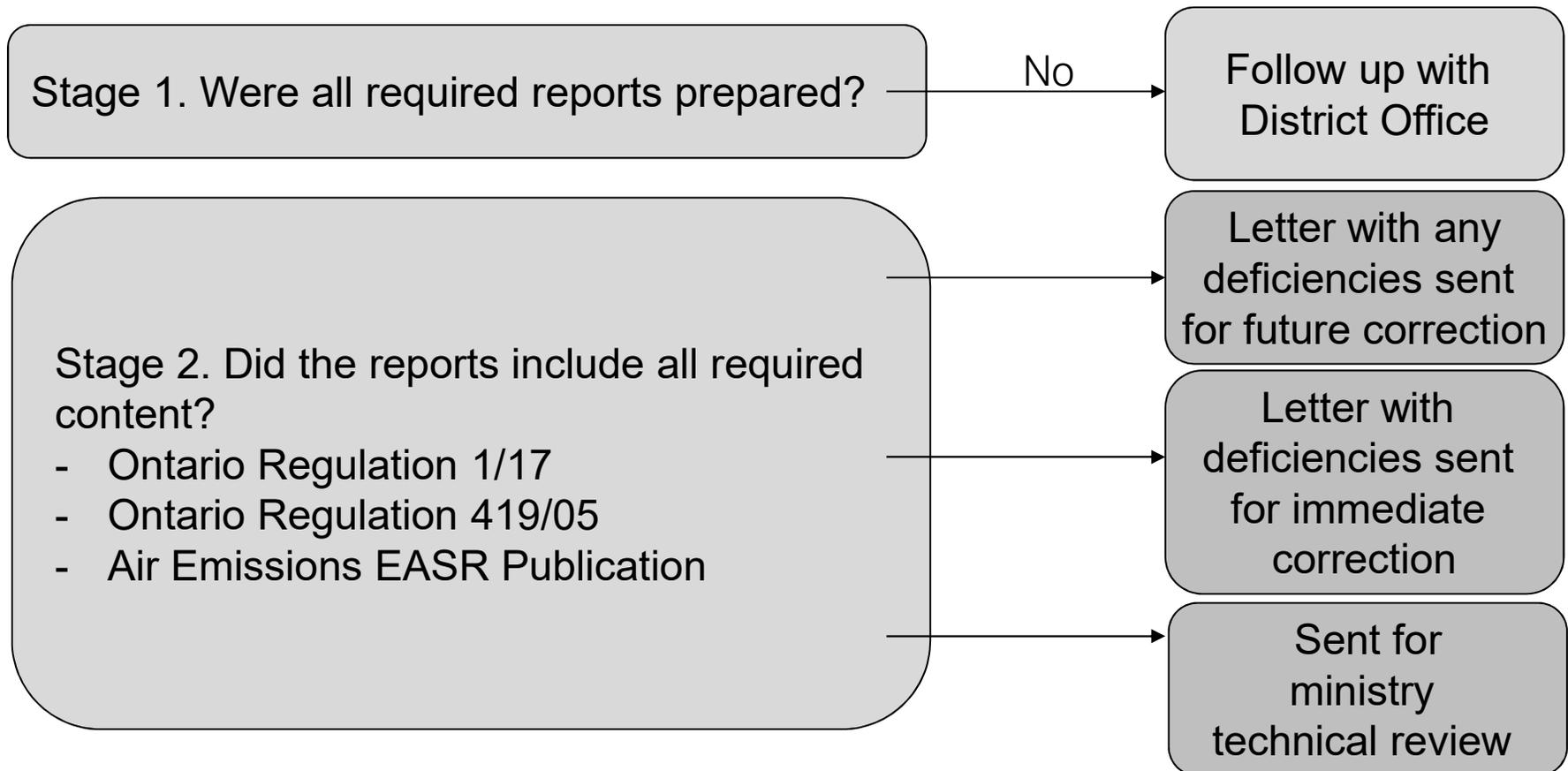
Air Emissions EASR Pilot Audit

- In May 2018, the ministry began a compliance check on the majority of Air Emissions EASR registrations.
- All registrations in the pilot went through an administrative audit, basic compliance check and all documents were requested from facilities.
- Some registrations were sent to ministry engineers for a technical review.
- The pilot will assist the ministry in determining which areas of the Air Emissions EASR process require additional guidance, outreach and education materials.



Desktop Administrative Audit

- All registrations that were sent a survey in May 2018 went through a desktop administrative audit.



Technical Review

- Approximately 20 per cent of the files were selected for technical review by engineering staff in the ministry's Environmental Approval and Assessment Branch (EAPB).
- Environmental officers asked for modelling files from the registered facilities.
- In addition to the regulatory requirements, EAPB reviewed against engineering standards and ministry guidelines.
- Any deficiencies or errors identified by EAPB were incorporated into letters outlining missing information and sent to facilities by the environmental officer.

**PROCEDURE FOR PREPARING
AN EMISSION SUMMARY
AND
DISPERSION MODELLING REPORT
[GUIDELINE A-10]**

Version 4.1

Common Errors

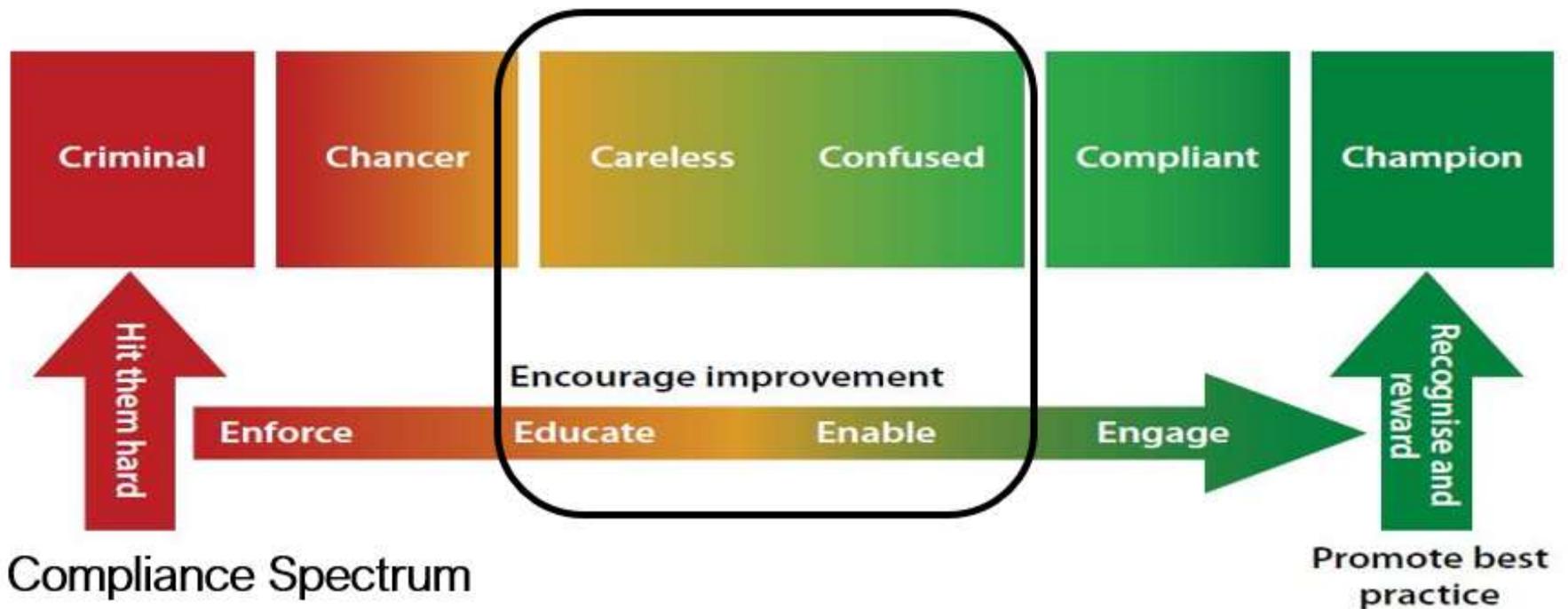


The common errors encountered during the pilot audit included:

- Exempt facilities registering.
- Discrepancies in NAICS codes.
- Using the NAICS code of the company instead of the primary activity at the facility.
- Missing LEP signature, license number and stamp.
- Submitting old ECA Applications.
- Missing odour documents.
- Missing new requirements from Ontario Regulation 1/16.
- Administrative items (e.g. statements, declarations).

Pilot Summary – Key Findings

- The regulated community does not understand their responsibilities under the Air Emissions EASR regulation.
- Consultants and facilities do not understand the difference in requirements between an ECA and Air Emissions EASR (e.g. requirements in Ontario Regulation 1/17).
- The process is new – more education and outreach is required for the regulated community, LEPs and ministry staff.



Next Steps

Develop a long-term compliance strategy specific to the Air Emissions EASR process which may include:

- Reaching out to the regulated community to provide information on the ministry's permissions processes, including exemptions.
- Reviewing ministry guidance and material for clarity and ease of access.
- Working to prepare additional guidance for LEPs preparing Air Emissions EASR registrations.

Continue to work with facilities where deficiencies were identified for correction.



DISCUSSION

Appendix A: Notices in Ontario Regulation 1/17



Section 15. In-stack testing

- Registrant would need to submit in-stack testing of air emissions.
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Section 23. Acoustic audit report

- Registrant would need to verify sound limits at points of reception.
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Section 28. Odour BMPP

- Registrant would need to submit an odour BMPP.
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Section 30. Fugitive dust BMPP

- Registrant would need to submit a fugitive dust BMPP.