Status and Update on Modernization of Approvals

Air Practitioners Meeting

March 2016

Purpose

- Provide an update on the efforts to modernize the ministry's approvals program and its impact on government-client interactions

- Highlight the transition to electronic Environmental Compliance Approvals (eECA)

- Provide an overview and next steps on initiatives moving forward

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Legislative/Regulatory Framework and Context

- In 2011, the Ministry implemented a risk-based two-path framework to replace the former Certificate of Approval program:
  - Environmental Compliance Approval (ECA)
  - Environmental Activity and Sector Registry (EASR)

- The framework included:
  - New online service delivery system (starting with self-registration and e-payment)
  - Enhanced transparency through Access Environment

The Ministry has committed to improving the environmental compliance approvals process by:
1. Reducing, by the fall of 2017, the amount of Ministry time taken to review air and noise environmental compliance approvals by at least 50 per cent.
2. Implementing a one-year service standard for higher-risk environmental compliance approval requests received after 2017.

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Principles for Modernization

- Electronic service delivery model is at the centre of approvals transformation and focuses on:
  - Improving the customer experience
  - Increasing transparency
  - Streamlining processes
  - Consolidating like functions
  - Removing barriers to innovation and economic competitiveness
  - Recognizing that the tools we had in place were insufficient to meet our own aspirations for environmental protection
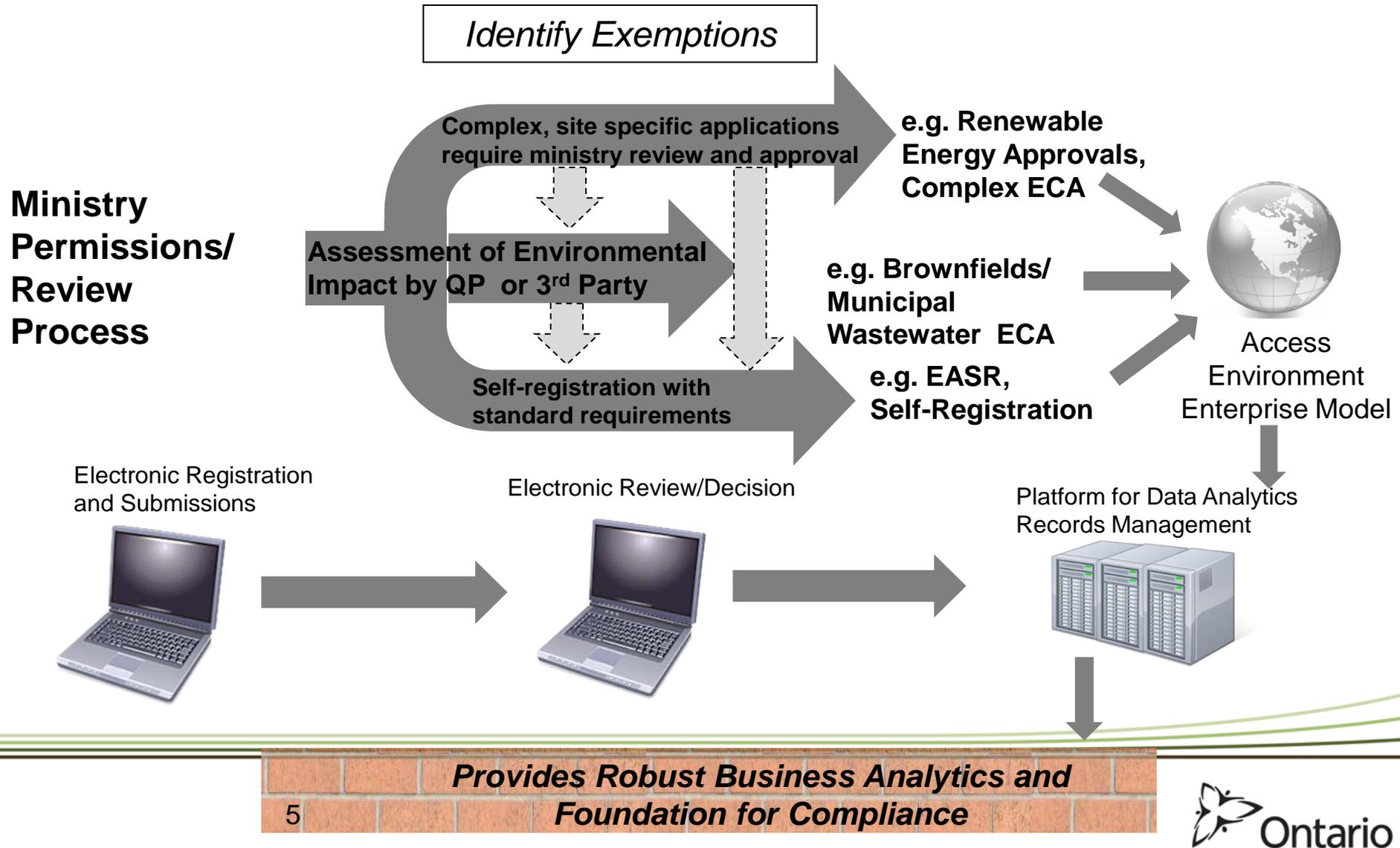
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Environmental Approvals
Protecting the environment

✔ easier
✔ online
✔ flexible
✔ accessible
✔ efficient

www.ontario.ca/environmentalapprovals

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Further Evolution of Modernized Approvals & Compliance

Identify Exemptions

Ministry Permissions/ Review Process

Complex, site specific applications require ministry review and approval

e.g. Renewable Energy Approvals, Complex ECA

Assessment of Environmental Impact by QP or 3rd Party

e.g. Brownfields/ Municipal Wastewater ECA

Self-registration with standard requirements

e.g. EASR, Self-Registration

Access Environment Enterprise Model

Electronic Registration and Submissions

Electronic Review/Decision

Platform for Data Analytics Records Management

Provides Robust Business Analytics and Foundation for Compliance

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Environmental Activity and Sector Registry

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Environmental Activity and Sector (EASR) Overview

- The EASR is a simplified online self-registration process intended for activities that are routine, well understood and have minimal environmental impacts. Benefits of the registry to date:

  - Over 4,200 registrations through the Registry has resulted in businesses saving approximately $32.7M.

  - Businesses using the Registry are saving on average up to $25,000 per registration and in some cases the savings are closer to $100K.

  - Self-registration on the EASR has significant time and costs savings versus obtaining a ministry Environmental Compliance Approval, for both the applicant and the ministry.

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EASR Projects Currently Under Development

Registry Candidates
- End-of-life Vehicle Waste Disposal Sites (ELVs)
- Water Taking (WT) (Construction dewatering and road construction)
- Production Processes requiring Air and Noise Approvals (e.g. General Manufacturing Sector)
- Non-emergency Generators (Tier 4)
- Distribution and Transmission Stations
- Municipal Recycling

EASR Guidance
- Solar - anticipated release early 2016
- Automotive refinishing - anticipated release March 2016
- ELV's - release dependant on final regulation (tracking April 2016)
- STWT – release dependant on final regulation (tracking April 2016

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End-of-life Vehicle Waste Disposal Sites

Overview

- Due to an exemption for derelict motor vehicles in Part V (Waste Management) of the *Environmental Protection Act* and Regulation 347 (General – Waste Management) made under the act, end-of-life vehicle (ELV) waste disposal sites in Ontario are not required to obtain an Environmental Compliance Approval for waste management.

- The ministry is proposing to include these ELV waste disposal sites into the EASR registration framework.

- The ministry is developing final regulations, that set out environmental standards for ELV waste disposal sites, including requirements related to:
  - vehicle depollution
  - storing and handling of waste
  - air emissions mitigation
  - maintenance of equipment
  - spill prevention and management plan
  - dust management measures
  - record keeping, and
  - staff training

Current Status

Final regulations are being developed, if approved, the ministry anticipates implementation Spring 2016

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Water Taking

Overview

- The ministry reviewed certain short-term, non-recurring water taking activities currently subject to a Permit to Take Water (PTTW) for consideration under the EASR registration framework.

- The proposal has several components, including:
  - Exempting water taking activities relating to wetland maintenance/restoration, as well as for weirs;
  - Clarifying that passive in-stream diversion is not considered a water taking;
  - Regulating select short-term, non-recurring water taking activities through the ministry's EASR program, rather than requiring a person to obtain a Permit to Take Water (PTTW).
    - Surface Water Takings for Road Construction Purposes
    - Construction Dewatering for projects less than 365 days in duration

Current Status

- Final regulations are being developed, if approved, the ministry anticipates implementation Spring 2016

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Background – Air and Noise Approvals

- In 2010, the Ministry of the Environment and Climate Change launched the Modernization of Approvals project based on the following four commitments:
    1. *Become a Modern Regulator*
    2. *Faster, More Transparent/Client-Centred Process*
    3. *Improve Public Access to Information*
    4. *Implement an Electronic Service Delivery Model*

- The Ministry has committed to continue applying its risk-based, client-centred, electronic service delivery model to all environmental licenses, permits and approvals in the coming years.

- When Schedules 4 & 5 were introduced as part of Reg. 419/05 (Air Pollution-Local Air Quality), the sectors included in the schedules were chosen based on risk factors that considered the toxicity of the contaminants they emitted and the extent and magnitude of possible exceedences.

- The Ministry requires these sectors to meet the most stringent standards with respect to the release of pollutants into the air to ensure the protection of human health and the environment.

- Between 2010 and 2014, **about 30%** of all Air and Noise Approval applications received were in these higher risk categories (i.e. Schedules 4 & 5).

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Production Processes Requiring Air & Noise Approvals

Overview

- Modernization of Approvals Branch is assessing whether it would be appropriate to shift the existing approval requirements from inclusive and broad to exclusive with a focus on facilities that have a higher risk profile

- There are a number of considerations that will need to be assessed and analysed before a recommendation can be made to support this proposal

- The focus is on operations/equipment currently requiring air and noise approvals, operations such as those in the General Manufacturing sector

- The ministry is considering the role of third party Qualified Persons in the examination of this candidate

Current Status:

- The ministry is conducting research and scoping this candidate and will work with various ministry subject matter experts to inform the analysis over the next several months

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Innovative Technologies QP Verification Pilot Program

Overview:
- MAB is developing a review process for innovative technology applications. This process will be part of the Environmental Innovation Branch's Innovative Technology Verification Permissions Program
- The new innovative technology review process is being proposed as a pilot program where Qualified Persons review the applications that includes an innovative technology, ensuring that ministry standards and requirements are met
- The new review process is expected to contribute to the effort of reducing review timelines, while also encouraging innovative technologies in the province
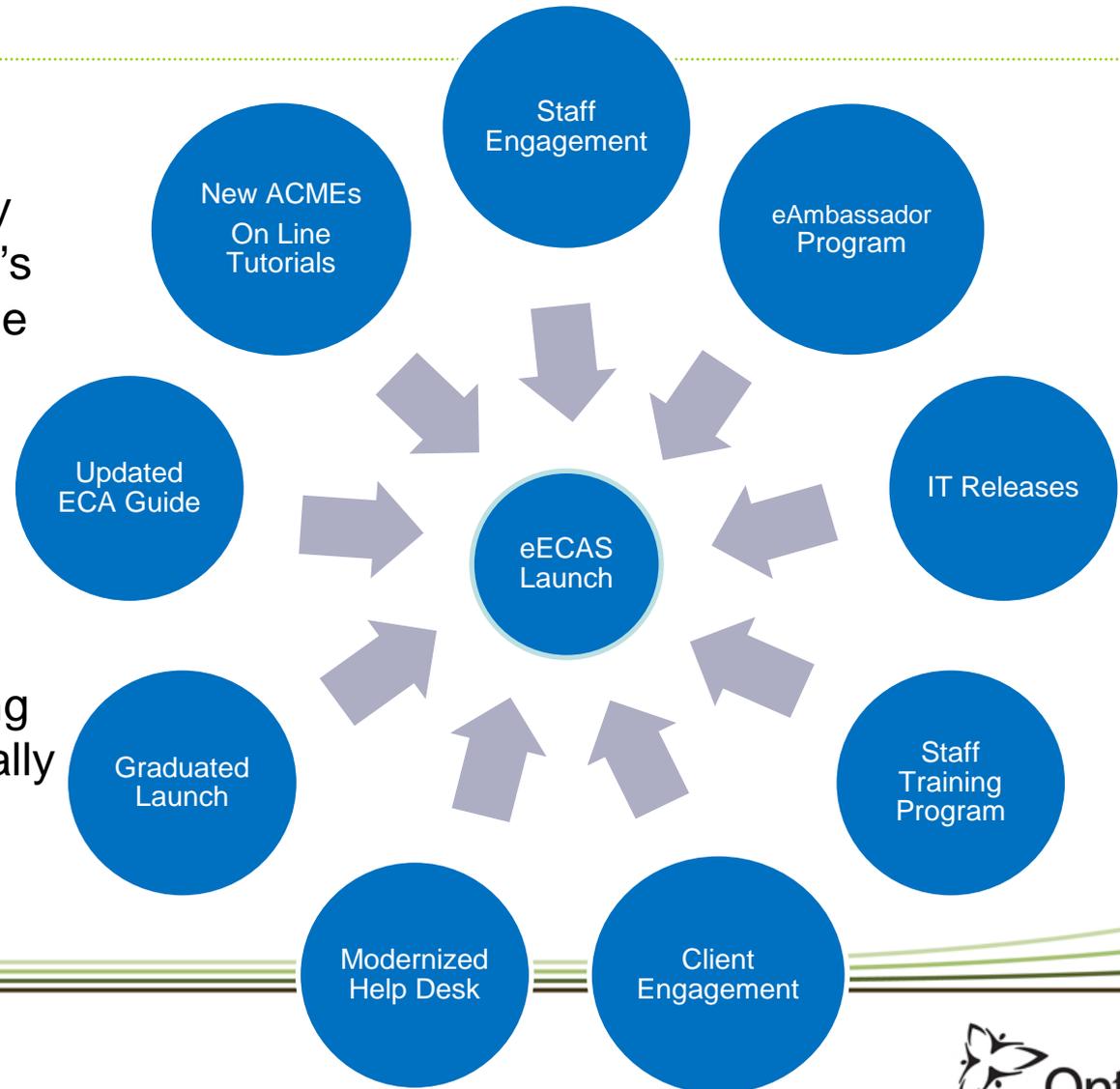
Status:
- Winter 2016 - MAB will be consulting with PPIB, SDB, EIB, among other ministry branches in developing review process standards and requirements, and to gain insight into the ministry's experiences with applications for innovative technologies, i.e. NETE program
- Summer 2016 - Pilot implementation includes program training and consultation (guidance materials, road shows with MOEC, regional staff, and external stakeholders)

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Program Modernization and Graduated Launch of Electronic Environmental Compliance Approvals (eECAS)

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eECAS Deployment

- The eECAS technology system is currently in it's graduated launch phase where selected clients are submitting applications and supporting documents electronically and ministry staff are screening and reviewing applications electronically

eECAS Launch

- Staff Engagement
- eAmbassador Program
- IT Releases
- Staff Training Program
- Client Engagement
- Modernized Help Desk
- Graduated Launch
- Updated ECA Guide
- New ACMEs On Line Tutorials

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Graduated Launch –Purpose

Limited, controlled access to eECAS by clients/consultants, provides opportunity to:

- Gain experience with real applications after completing hands on role specific training

- Ensure business information and processes are in place to support external and internal clients

- Make necessary adjustments prior to full launch to ensure success

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Capacity Building

Overview:

- MAB is working on a number of outreach pieces for external and internal stakeholders to support the electronic service delivery of ECA applications in the new eECAS system:
  - **Redesigning ECA guidance** to include online ECA application requirements
  - **Partnering with associations on outreach**; for example, three associations have included a MAB article in their publications on eECAS
  - **Establishing the E-Ambassadors program** to support internal engagement and promote the change to electronic service delivery of ECAs using the eECAS system
  - **Developing eLearning modules on eECAS** system for all MOECC staff who will be using the system to search or review/approve an online ECA application
  - **Enhancing EAASIB's Help Desk** through new technology, creation of a knowledge database, staff training and reducing the number of calls/emails transferred to duty officers.

Status:

- Enhancing e-learning modules for training on MOECC client account management system (CAMS)

- Planned 2015-16 remedial releases to enhance eECAS and implement changes identified in the dress rehearsal and graduated launch completed Dec 2015

- All capacity building products and activities can be leveraged to support modernization of other ministry programs

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