

LEHDER Environmental Services

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Ontario's New Environmental Approval System

Introduction

On October 31, 2011 the Ontario Ministry of Environment (MOE) ushered in a new era in environmental approvals. Like a canary in a mine, the first indicator of the change is found in the new terminology introduced. The **Environmental Compliance Approval (ECA)** has replaced the familiar term, Certificate of Approval. Further, the document formerly known as a Comprehensive CofA is now called an **ECA with Limited Operational Flexibility**. Some activities that the MOE has deemed lower risk are eligible for the Environmental Activity and Sector Registry (EASR) in place of the ECA route.

Impact on Current CofAs

The first question that pops into the minds of those with valid CofAs is "What happens to me now?" The short answer is "Nothing". All existing approvals will be "converted" to ECAs, although the mechanism for doing so has not yet been revealed by the MOE. Facilities will not be impacted by the new system until they need to apply for an amendment or for a new approval. All applications received after October 31, 2011 are subject to the new requirements.

New Requirements

The major shift in the system is the move to multi-media applications. All new applications must address all relevant ECA requirements related to air, water, and waste.

Applications will require new certifications by both the proponent and the consultant which declare the application is complete and the data on which it is based is accurate.

Registry Requirements

The MOE has established a Registry system for activities that are less complex and deemed lower risk in comparison to other sources of emission. Currently, the EASR is available for:

- Comfort Heating
- Emergency Diesel Generators
- Automotive Paint Spray Booths

The MOE has specified eligibility requirements for each of these activities that must be met prior to attempting to complete the registration. If these are met, the facility may utilize the EASR for the specified equipment in place of the ECA process.

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Unknowns

This new system is still in its infancy, so the regulated community should expect some growing pains. A few critical questions will need to be answered in the short term such as:

- What documentation is required in an application for a project that only affects one of the media, even when a site possesses ECAs related to multiple?
- When a facility applies for an ECA with Limited Operational Flexibility that does impact multimedia, will that facility receive a multimedia approval?
- Does a facility have the choice between the ECA pathway or the EASR pathway for eligible equipment?

LEHDER will continue to seek answers and will keep our clients informed as further details become available.

Questions

For further information or questions regarding the new environmental approval system, please contact:

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About LEHDER

LEHDER Environmental Services is an environmental consulting company focused on providing **Excellence in Industrial Air Quality Services**. Formed in 1995, LEHDER is now one of the largest Air Quality Management companies in Canada.

All Air Quality aspects – source testing, emission inventories, air dispersion modeling, data interpretation and approval applications – are managed internally without outsourcing and partnering. We are here to serve your needs.

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