

Environmental Management Newsletter

Welcome to Pollutech's Environmental Management Newsletter. The newsletter focuses on new and proposed regulations that may affect your business operations as well as provide you with news briefs on various items of environmental concern.

MOE MODERNIZATION OF APPROVALS PROGRAM (O. REG. 245/11)

On October 31, 2011, the Ministry of the Environment is launching a Modernization of Approvals program known as Ontario Regulation 245/11 "*Prescribed Activities and the Environmental Activity and Sector Registry - Heating Systems, Standby Power Systems and Automotive Refinishing*".

The regulation creates a new online environmental registry for businesses that have routine operations with known environmental controls. The registry will be easy to use and is intended to assist in streamlining the MOE Approvals Process for the following operations and equipment:

- Automotive spray-paint booths;
- Gas fired comfort heating units;
- Standby power systems.

If your business operations **ONLY** consist of the above noted equipment and meet the specific operational criteria outlined in O. Reg. 245/11 you may be eligible to use the online Sector Registry. By registering your business and associated activities you are following the law. To ensure your operations meet the entire applicable Ministry of the Environment Standards and Guidelines it is recommended that an "*Environmental Compliance Assessment*" be conducted prior to installing the equipment and completing the online Sector Registry for due diligence and liability reasons. If your facility does not meet the requirements outlined in O. Reg. 245/11 than an Environmental Compliance Approval may be required as outlined in Part II.I of the Environmental Protection Act.

For more information on the Environmental Activity and Sector Registry (O. Reg. 245/11) please visit:

www.ene.gov.on.ca and/or

www.ene.gov.on.ca/environment/en/industry/assessment_and_approvals/modernization_of_approvals/index.htm

Air Pollution - Local Air Quality, Ontario Regulation 419/05

Facilities that have a North American Industry Classification System (NAICS) Code listed in Schedule 4 and 5 below are required to use the approved advanced air dispersion model programs (**SCREEN3, ISCRIME, ASHRAE, AERMOD**) for all new Certificates of Approvals (Air & Noise) by the years 2010 and 2013, respectively. Facilities that have an existing C of A and fall under Schedule 4 below are required to update their existing Emission Summary and Dispersion Model (ESDM) Report using one of the above approved dispersion models.

Schedule 4: Target Sectors for 2010	
NAICS Code	Sector Description
2122	Metal Ore Mining
221112	Fossil-Fuel Electric Power Generation
324110	Petroleum Refineries
3251	Basic Chemical Manufacturing
3252	Resin, Synthetic Rubber, and Artificial and Synthetic Fibres and Filaments Manufacturing
3311	Iron and Steel Mills and Ferro-Alloy Manufacturing
331410	Non-Ferrous Metal (Except Aluminum) Smelting and Refining
3315	Foundries

Schedule 5: Target Sectors for 2013	
NAICS Code	Sector Description
3221	Pulp, Paper and Paperboard
324190	Other petroleum and coal product manufacturing
325	Chemical manufacturing
326150	Urethane and Other Foam Product (except Polystyrene) Manufacturing
3279	Other Non-Metallic Mineral Product Manufacturing
331	Primary Metal Manufacturing
332	Fabricated Metal Product Manufacturing
336	Transportation Equipment Manufacturing
5622	Waste Treatment and Disposal

There is potential for facilities that are currently in compliance with Regulation 346 to exceed the new standards outlined in Regulation 419 using the updated dispersion models. For this reason, the MOE has permitted a phased-in approach for all industries, based on their facility NAICS code, to evaluate compliance using the new “approved” dispersion models (i.e. AERMOD) and, if necessary, request an “Alteration of Standards” if they are unable to meet the new regulatory point of impingement limits. The following schedule outlines when a facility can evaluate compliance using the updated dispersion models and request an “Alteration of Standard” if required. All other Facilities, not listed above, can assess their emissions using the new dispersion modelling software as of February 1, 2013 – October 31, 2017.

A request for approval of an Alteration of Standard:

- Schedule 4 Facilities – Deadline past
- Schedule 5 Facilities is to be made between February 01, 2010 and October 31, 2011,
- All Other Facilities is to be made between February 01, 2013 and October 31, 2017.

O. Reg. 419/05 legislation can be viewed at:

http://www.e-laws.gov.on.ca/html/regs/english/elaws_regs_050419_e.htm

MOE Ontario Regulation 455/09 – Toxics Reduction Act

As of January 1st, 2010, regulated facilities in the manufacturing and minerals processing sectors:

- with NAICS codes beginning with “31, 32, 33 and 212” digits,
- with a minimum of 20,000 employee hours worked in 2010,
- who manufacture, process, or otherwise use any of the prescribed toxic substances in any amount that meets or exceeds the prescribed thresholds.

are required to track, report, and prepare toxic reduction plans for the toxic substances that they use. It should be noted that the due date for the 2010 Phase I Toxic Substance Plans & Plan Summaries are due December 31, 2012. O. Reg. 455/09 can be viewed at:

http://www.e-laws.gov.on.ca/html/source/regs/english/2009/elaws_src_regs_r09455_e.htm

New Environmental Noise Guidelines (NPC-300)

The Ministry of the Environment has updated, rewritten and consolidated three of its primary noise Guidelines into the draft NPC-300 document. The new noise Guideline, still under review, will be incorporated into Certificates of Approval and Environmental Compliance Approvals for existing and new facilities. They will also be used to evaluate noise complaints under the *Environmental Protection Act*, and guide municipal planning and zoning decisions on proposals for noise sensitive uses.

The draft NPC-300 document also offers new mitigation options, amends the sound level limits, and provides detailed definitions for a number of new terms and concepts. The new noise Guideline will replace the following Noise Publications once approved:

- Publication NPC-205: *Sound Level Limits for Stationary Sources in Class 1 & 2 Areas (Urban)*;
- Publication NPC-232: *Sound Level Limits for Stationary Sources in Class 3 Areas (Rural)*; and
- Publication LU-131: *Noise Assessment Criteria in Land Use Planning*.

For more information on NPC-300 please visit the following website:

<http://www.ebr.gov.on.ca/ERS-WEB-External/displaynoticecontent.do?noticeId=MTEwNDAw&statusId=MTY1NzQz>

ISO 50001:2011, Energy Management Systems

ISO 50001 is a voluntary International Standard developed by ISO (International Organization for Standardization). ISO 50001 gives organizations the requirements for energy management systems. The new Standard will establish a framework for industrial plants, commercial, institutional, and governmental facilities to manage energy. In addition to the economic costs of energy to an organization, energy can impose environmental and societal costs by depleting resources and contributing to problems such as climate change.

The purpose of this International Standard is to enable organizations to establish the systems and processes necessary to improve energy performance, including energy efficiency, use, and consumption. Implementation of this standard is intended to lead to reductions in greenhouse gas emissions, energy cost, and other related environmental impacts, through systematic management of energy.

ISO 50001 can be implemented solely for the internal and external benefits it provides the user organizations. Certification by an independent auditor of conformity of the user's energy management system to ISO 50001 is not currently a requirement of the standard itself.

For more information on this Standard please visit:

www.iso.org

For more information on these and other environmental related topics please feel free to visit our website at: www.pollutechgroup.com or contact us directly at our Oakville office at (905) 847-0065, Sarnia office at (519) 339-8787, or info@pollutechgroup.com and one of our staff members will be happy to assist you. For your convenience we have attached a copy of our business services page which provides a brief summary of the services we provide.