



One-Year Service Standard Environmental Compliance Approvals

Ministry of the Environment and Climate Change

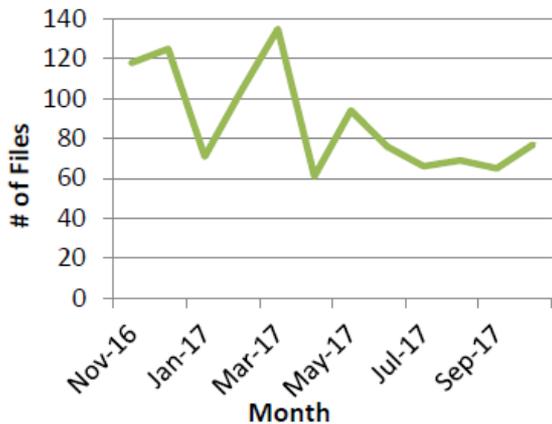
Seminar for Wastewater Practitioners Meeting

November 29, 2017

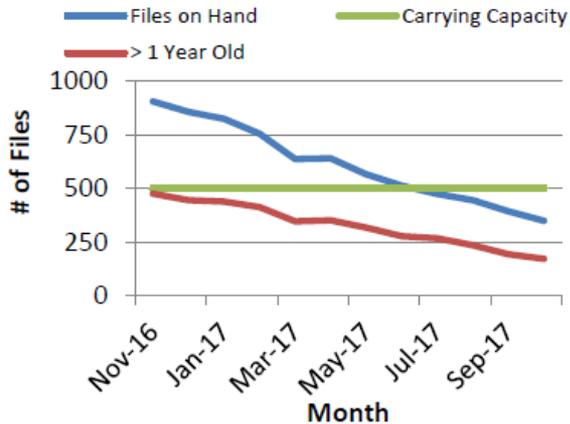
EAB Air and Noise

Data as of November 1, 2017

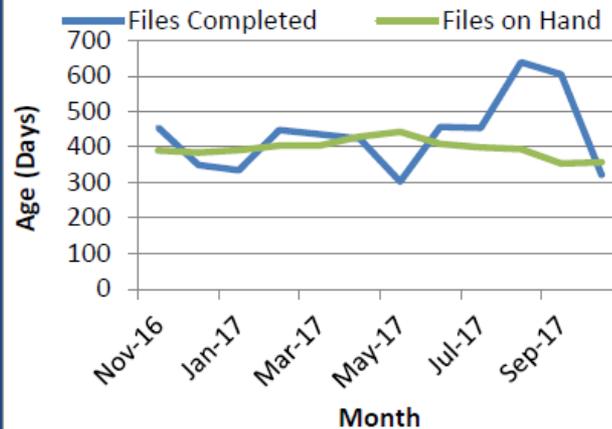
Monthly Completed Files



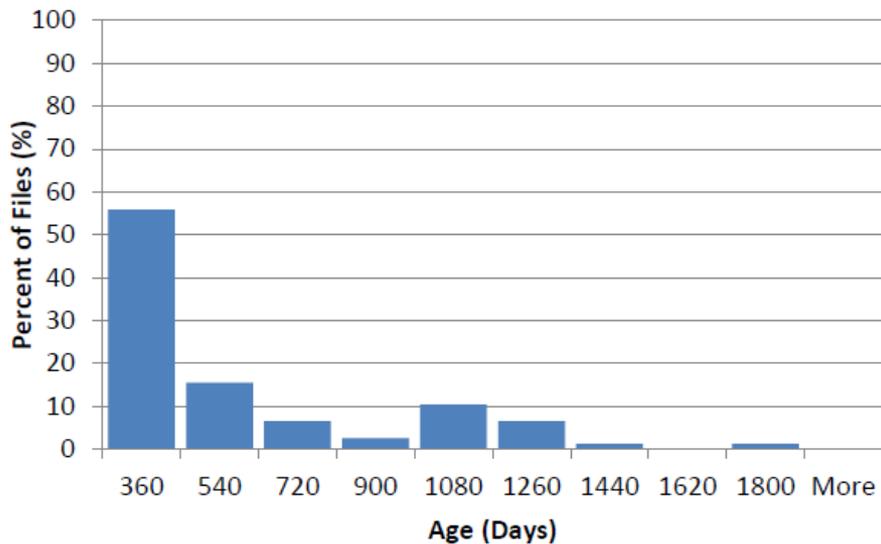
Monthly Files on Hand



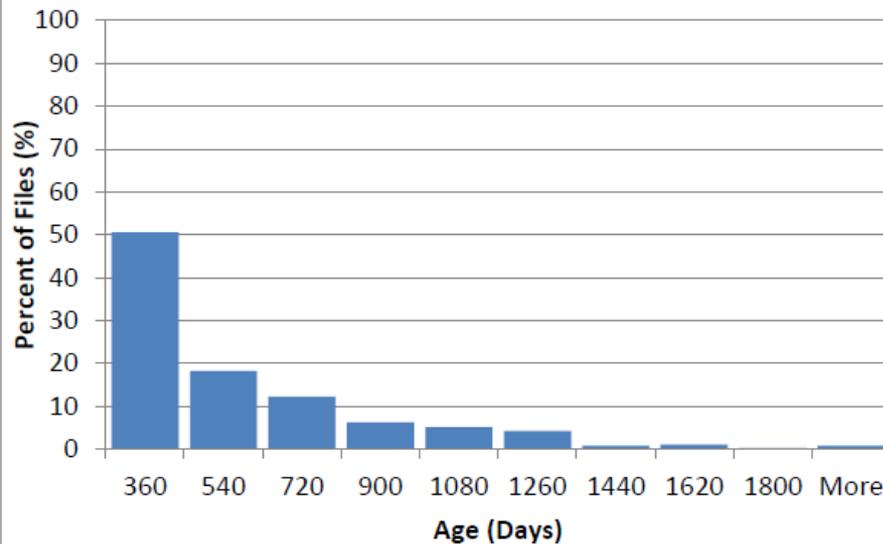
Median Age



Age Distribution of Completed Files - October 2017



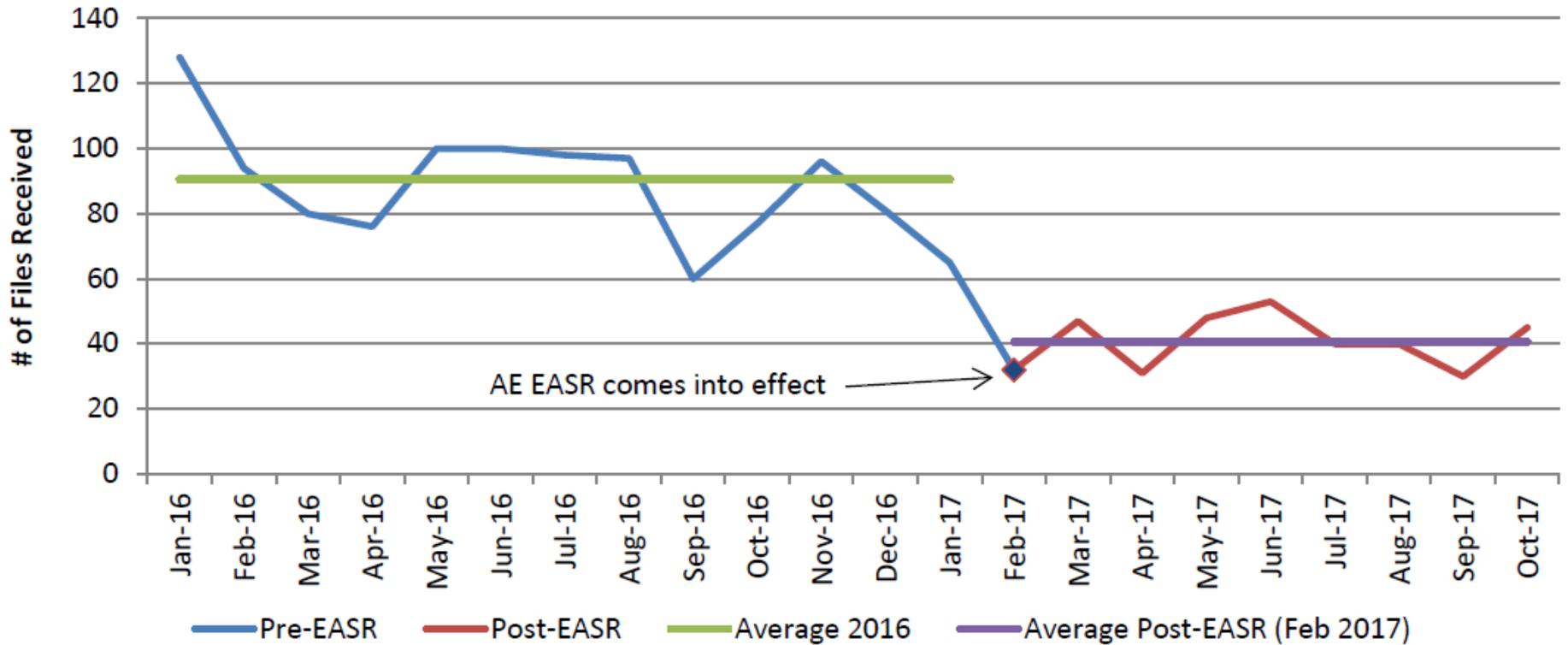
Age Distribution of Files on Hand



Air Emissions EASR Statistics

Data as of November 1, 2017

Received Air/Noise ECA Applications (Complex and Non-Complex)



Air/Noise ECA Applications Withdrawn/Returned/Exempt due to AE EASR

Withdrawn by Applicant

54

Exempt by O. Reg. 524

12

Returned by Ministry

33

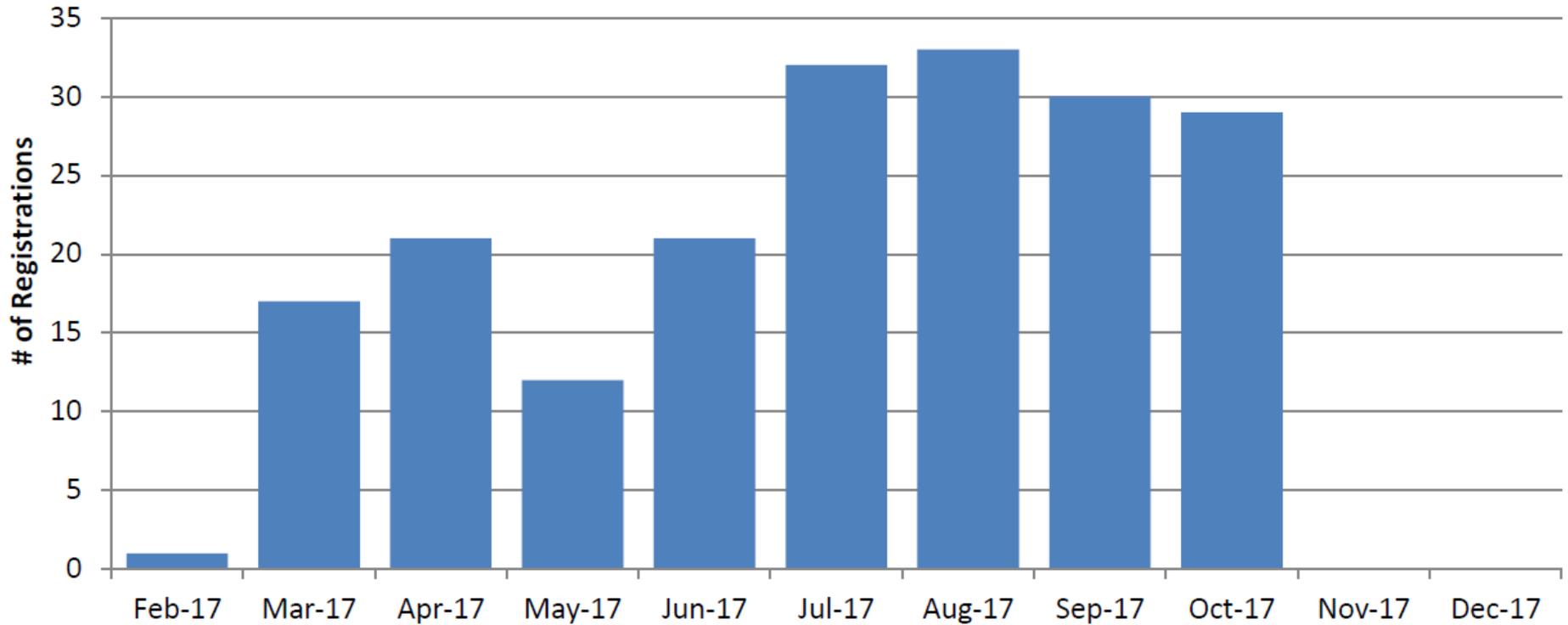
Total

99

Data for December 1, 2016 - October 31, 2017

AE EASR Registrations

Total registrations as of October 31, 2017: 196



Presentation Highlights

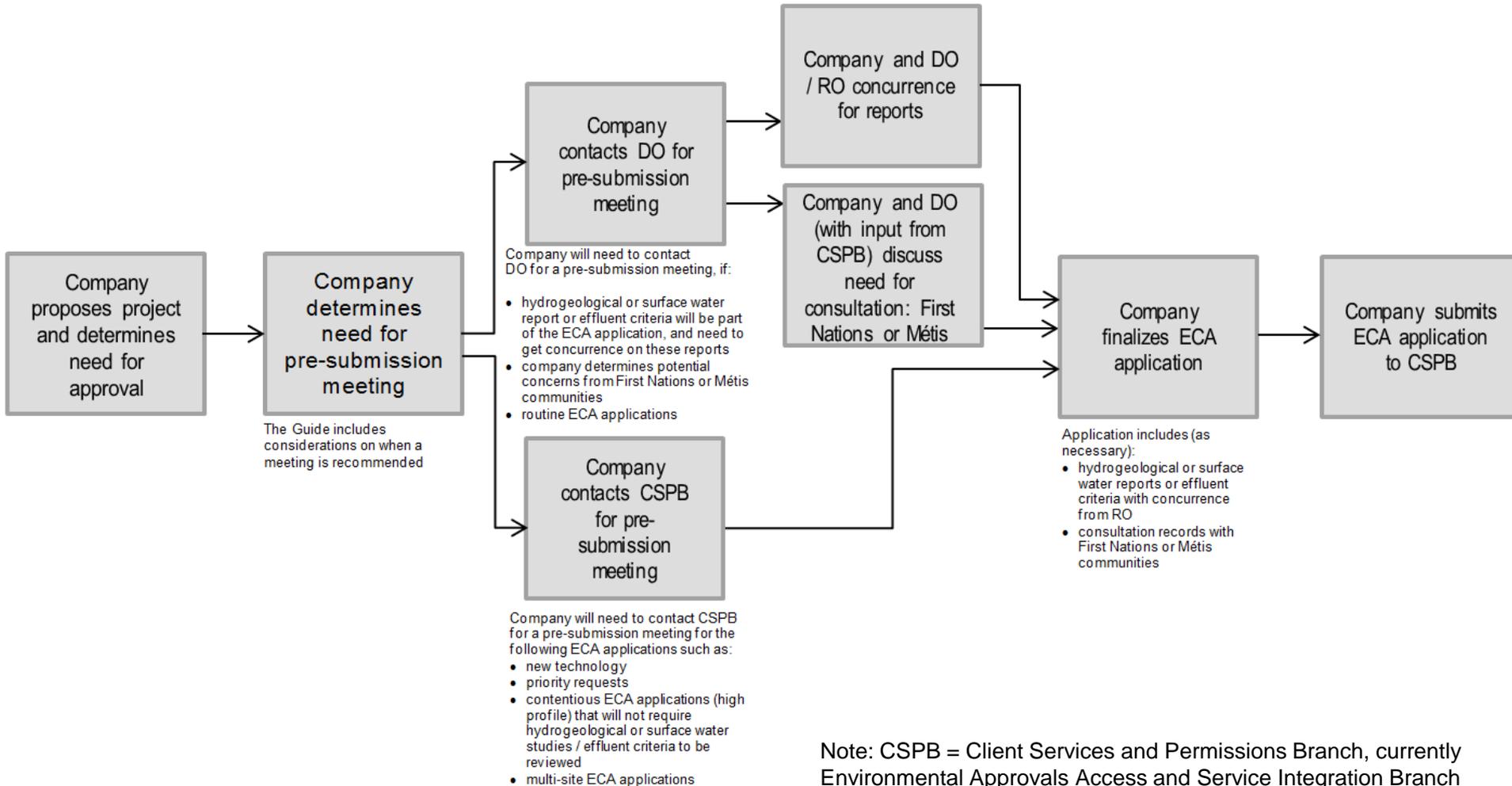
- The ministry wants to ensure that all future ECA applications are complete when sent to the ministry, to avoid delays in the approval process. With your cooperation, we can minimize these delays, and in turn, you can save time and receive approvals quicker.
- This presentation will highlight the following:
 - Importance of a pre-submission meeting
 - Requirement for pre-submission of reports
 - Consultation with First Nation and Métis communities and members of the public
 - The One-Year Service Standard clock and the “stop-clock” provision
 - Returning and refusing incomplete and/or inadequate applications
 - Document updates and next steps

Pre-Submission Meeting

- A pre-submission meeting with the ministry is highly recommended under several scenarios that will be noted in the *Guide to Applying for an ECA*, e.g.:
 - First Nation or Métis concerns, or the proposed project/activity is occurring on Crown land
 - Proposed project requires hydrogeological and surface water reports and effluent criteria
 - Projects with system-wide or multi-site ECA application.
- An applicant will initiate the meeting request by contacting the local District Office in which the proposed activity is to be located or Environmental Approvals Access and Service Integration Branch (EAASIB, soon to be Client Services and Permissions Branch, CSPB).
- An applicant should provide information to the ministry prior to the meeting to assist staff in identifying issues that should be addressed during application preparation.

Note: for most up-to-date information and requirements, refer to the *Guide to Applying for an ECA*, which will be updated at the end of the year.

Pre-submission Meeting



Note: CSPB = Client Services and Permissions Branch, currently Environmental Approvals Access and Service Integration Branch

Requirement for Pre-submission Reports

- The one-year service standard includes a requirement for applicants to submit surface water and hydrogeological reports, and effluent criteria for concurrence with the MOECC's Regional Technical Support in the pre-submission phase.
- The applicant must include proof of concurrence from Regional Technical Support as part of their complete ECA application package (sign-off memo/letters).
- A proof of concurrence should indicate that Regional Technical Support has reviewed the reports, discussed effluent criteria with the applicant, and has agreed with the approach.

Crown's Duty to Consult, Delegation and Pre-submission Meeting

- The Crown has a duty to consult with First Nation and Métis communities if a project or activity subject to a Crown decision or involving Crown action could adversely impact an Aboriginal or treaty right.
- The ministry can delegate procedural aspects of consultation to an applicant.
- In order to ensure the one-year service standard commitment is met, engagement with First Nation and Métis communities by applicants should occur as early as possible in the ECA application process.
- A pre-submission meeting with the Ministry will help identify issues that should be addressed during the preparation of an ECA application, including First Nation and Métis consultation.
 - Applications may be returned if it is determined that consultation is required, but the applicant has not engaged the communities.

“Stop-clock” Provision

- The “stop-clock” provision was designed by the Ministry to monitor the progress of the Ministry’s review over the one-year service standard, and to account for circumstances where additional information is required, while acknowledging that incomplete or insufficient applications and responses are not entertained indefinitely.
- It also provides applicants with a sense of timing for their approval within the one-year service standard.
- The “stop-clock” provision also allows the Ministry to deal with unforeseen situations or issues that may arise during the review and that are expected to have an impact on the one-year service standard.

Returning / Refusing Applications During Application Screening & Review

During application or technical screening:

- Application can be returned (i.e., “cancelled”) when a requirement in the application regulation (O. Reg. 255/11) is not provided.

During technical review:

- Applications can be refused if, after the second information request (for each media):
 - submission is still incomplete or inadequate; and/or
 - the deadline to provide the information has passed and the applicant has not responded, even after a reminder from ministry staff.
- An application will be refused if the applicant proposes to change a project in a way that is outside the original scope of the application, such as addition of new sources, and change from conventional ECA to an ECA with limited operational flexibility.

Public/Concerned Community Groups Consultation

- In the *Guide to Applying for an ECA*, the ministry recommends that an applicant may have to engage interested parties before an ECA application is submitted to the ministry, or if the Director considers additional consultation is necessary.
- Engaging with the public/concerned community groups before submitting an application can prevent delays during the ECA review process.
- If consultation is held during the review process, the Director cannot render a decision on an ECA until the consultation has been completed.
 - In this case, the stop-clock function can be employed.

Document Updates and Next Steps

- Updates to the *Guide to Applying for an ECA*, including details for applicants on:
 - Requirements for First Nations and Métis communities consultation; and
 - Pre-submission requirement to submit surface water reports, hydrogeological reports and effluent criteria for Regional Technical Support concurrence.
- Updates to the electronic and paper-based ECA application form.
- Implement the One-Year Service Standard as of **January 1, 2018**.

Discussion

Questions?

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Appendix – Operational Procedure for the One-year Service Standard

