

Welcome to the Fulco Environmental newsletter. Our newsletters highlight new and proposed changes to environmental legislation which may have a significant impact on your business. In this newsletter we focus on the changes and concerns associated with the Environmental Activity & Sector Registry Regulation as well as updates to Environmental Compliance Approvals for facilities.

## **Environmental Activity and Sector Registry (EASR): Power Point Presentation Available – Contact us for Details**

The Environmental Activity and Sector Registry (EASR) regulation provides some flexibility for facilities by allowing specific pieces of equipment to be registered on-line with the Ministry of the Environment if all of the “Operating and Activity Requirements” are achieved for each piece of equipment on-site. This allows some facilities to by-pass the traditional Environmental Compliance Approval process by allowing them to ensure compliance with air and noise emissions is achieved from a site wide perspective through self-regulation. The MOE is transferring the responsibility of operating in compliance to the end user for this type of equipment. The following equipment is eligible for Sector Registry assuming all mandatory “Operating and Activity requirements” are met.

- Standby power generators less than 700 kW (O. Reg. 346/12).
- Gas fired comfort heating units (O. Reg. 346/12);
- Small ground-mounted solar facilities – (O. Reg. 350/12);
- Lithographic, screen & digital printing facilities (O. Reg. 349/12);
- Non-hazardous waste management transportation (O. Reg. 351/12);
- Cooling Towers (currently under review with MOE to add to EASR).

It should be noted that there are specific **“Activity & Operating Requirements”** that must be achieved in order to register any of the above equipment. Many facilities are registering equipment that does not meet compliance with the EASR Regulation increasing the chance for fines and “Ministry Orders” to undertake costly modifications to equipment in order to achieve compliance.

If EASR eligible equipment is registered with the MOE it is imperative that an environmental assessment be conducted to ensure that the entire facility complies with the explicit air and noise emission criteria under the Environmental Protection Act, Ontario Regulation 419/05, and all applicable noise by-laws (municipal and provincial) and not just the EASR Regulation.

An environmental assessment significantly reduces the chances of operating out of compliance saving costly modifications to equipment post installation. MOE “Fines and Orders” for non-compliance can be avoided, assisting in the maintenance of an environmentally friendly corporate image.



## **Ontario Regulation 419/05 – Environmental Compliance Approval Updates for Facilities:**

By February 1, 2013 all facilities that fall within the following North American Industry Classification System (NAICS) sectors are required to comply with the air standards in Schedule 3 of O. Reg. 419/05 using the more advanced approved air dispersion models (AERMOD, ASHRAE, SCREEN 3). These facilities must also prepare and annually update an ESDM report.

- NAICS 3221 - Pulp, Paper and Paperboard Mills;
- NAICS 324190 - Other Petroleum and Coal Products Manufacturing;
- NAICS 325 - Chemical Manufacturing;
- NAICS 326150 - Urethane and Other Foam Product (except Polystyrene) Manufacturing;
- NAICS 3279 - Other Non-Metallic Mineral Product Manufacturing;
- NAICS 331 - Primary Metal Manufacturing;
- NAICS 332810 - Coating, Engraving, Heat Treating and Allied Activities;
- NAICS 332999 - All Other Miscellaneous Fabricated Product Manufacturing;
- NAICS 336 - Transportation Equipment Manufacturing;
- NAICS 5622 - Waste Treatment and Disposal.



Most facilities to date are still operating under an existing Certificate of Approval issued prior to this change in the regulation using the Appendix to O. Reg. 346 dispersion models to assess compliance. These facilities must re-evaluate if their approval is still valid, if their NAICS code is listed above, by running one of the above approved dispersion models by February 1, 2013.

If you would like to learn more about these or any other environmental related topics please feel free to contact us for further information. We would be happy to set up a brief information session.