



Status of Proposed Updates to Guidance Documents
O. Reg. 419.05

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Presentation for Air Practitioners (AWMA)

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Purpose of Presentation

- Status of Comments on Guidance Documents:
 - EBR# 012-4164, 012-4167, 012-4168
 - New and Updated Technical Bulletins
- Air Standards/Regulation 419 External Working Group (EWG)
 - Background
 - Subgroups

Proposed Updates to Guidance Documents

- Guidance documents updated by the Ministry of Environment and Climate Change (MOECC) internal working group (which includes SDB, EAB, EMRB, Operations Division (WCR), and Legal Services).
- May 2015: Draft Guidance Documents circulated via email.
- September 2015: Highlights of draft Guidance were [presented at AWMA](#) breakfast series and available on their website.
- December 18, 2015: EBR Postings (012-4164; 012-4167, 012-4168) posted for a 60 day comment period that ended February 16, 2016.
- A total of 9 comments from 11 organizations submitted for the 3 postings which includes air practitioners, industry associations, ENGOs, and public health.
- Comments still under review.

ESDM Procedure Document

EBR #012-4167

Highlights of the proposed updates include:

- Changes from earlier regulatory amendments (2009 and 2011);
- Guidance on emission estimates and modelling for annual standards;
- Guidance on ESDM requirements for facilities with contaminant(s) registered to Technical Standards;
- Reference to Environmental Activity and Sector Registry (EASRs);
- Other changes to improve clarity on expectations of what should be included in a report or submission; and
- A new Appendix E: Guidance For Standards With Annual Averages: Estimation Of Particulate Emissions From Paved And Unpaved Roads.

ESDM Procedure Document

EBR #012-4167

In addition, the following new or revised technical bulletins have been developed:

1. Combined Assessment Of Modelled And Monitored Results (CAMM) as an Emission Rate Refinement Tool (currently Appendix E of ESDM Procedure Document) (revised from 2009)
2. Approaches To Manage Open Industrial Fugitive Dust Sources (currently Appendix F of ESDM Procedure Document) (revised from 2004 – new title)
3. Methodology For Using “Assessment Values” For Contaminants With Annual Air Standards under O. Reg. 419/05 (new)
4. Methodology For Modelling Assessments Of Contaminants With 10-Minute Average Standards And Guidelines Under O. Reg. 419/05 (minor revisions from 2008)
5. Technical methods for opacity under O. Reg. 419 (minor revisions)

ESDM Procedure Document

[EBR #012-4167](#)

8 Comments (from 10 organizations):

- 3 consultants including Air Practitioners (AP)
- 1 Industry
- 3 Industry Associations [CVMA/CSPA/CFA]
- 1 ENGOS (3 organizations)

Technical Bulletins (TB) (circulated via email)

- 1 comment on Fugitive Dust TB
- 3 comments Assessment Values TB

Air Dispersion Modelling Guideline for Ontario (ADMGO)

EBR# 012-4164

Highlights of the proposed updates include:

- Changes from earlier regulatory amendments (2009 and 2011)
- Guidance on modelling for annual standards
- Supporting information to be provided when using ASHRAE
- Additional guidance on modelling specific source types (roadways, pits and quarries, etc).

ADMGO

EBR# 012-4164

The following technical bulletins are also being developed.

- Modelling Flares (new) – circulated via email February 12, 2016 – **comments due March 31, 2016**
- Model Version Updates under O. Reg. 419/05 (under development)
- Meteorological Data used for modelling under O. Reg. 419/05 (under development)

ADMGO

EBR #012-4164

7 Comments (from 9 organizations):

- 2 consultants including Air Practitioners (AP)
- 1 Industry
- 3 Industry Associations
- 1 ENGOS (3 organizations)

Guideline for the Implementation of Air Standards in Ontario [**GIASO**] **EBR #012-4168**

Highlights of the proposed updates include:

- Changes from regulatory amendments in 2009 and 2011 including renumbering of sections (particularly sections related to the site-specific standards process), change in terminology, etc. (see EBR Registry Number: [011-3088](#));
- An updated description of Ontario's standard setting process and the ministry's framework to manage risks;
- Addition of reference to tools to assess cost-effectiveness;
- Addition of general information on the technical standard compliance approach, which was introduced in 2009;
- Clarification of expectations for new facilities; and
- Other changes to improve clarity on expectations of what should be included in the reports and/or submitted.

GIASO

EBR #012-4168

The “Guide to Requesting an Alternative Standard” (GRAS) PIBs # 6322e02 dated December 2007 will be renamed to be the “Guide to Requesting Site-Specific Standards” (GRSSS). Highlights of these updates include:

- Regulatory amendments from 2009 and 2011;
- Addition of risk scoring methodology (used with tools to assess cost effectiveness); and
- Add reference to updated guidance on “Combined Assessment Of Modelled And Monitored Results (Camm) as an Emission Rate Refinement Tool” as per revised Technical Bulletin.

Note: The ministry does not normally seek public comments on “guides” to applying or application forms.

GIASO

EBR #012-4168

In addition, the ministry will also update the “Guide To Applying For Registration To The Technical Standards Registry – Air Pollution” PIBs # 7804e dated September 2010. Highlights of the updates include:

- Regulatory amendments from 2009 and 2011; and
- Clarification of use of adjacent properties.

Note: The ministry does not normally seek public comments on “guides” to applying or application forms.

GIASO

EBR #012-4168

7 Comments (from 9 organizations):

- 1 consultants - Air Practitioners (AP)
- 1 Industry
- 1 Public Health
- 3 Industry Associations
- 1 ENGOS (3 organizations)

Next Steps

- Review and consider comments
- Format documents to be in compliance with the Accessibility for Ontarians with Disabilities Act
- Post decisions on EBR on guidance and include updates on the ministry website.
- Timing to be confirmed (goal is before July 1, 2016 which is when new standards take effect).

Other things to come

- Decisions and proposals for some sector –based technical standards are pending.
- New application forms for new or updated sectors with technical standards
- Finalize and develop additional technical bulletins:
 - Technical bulletins are based on specific technical information and hence are not typically posted on the environmental registry. However, the ministry circulates these documents to interested stakeholders for their review. Technical bulletins can be updated as technical information changes.

Air Standards/Regulation 419 External Working Group (EWG)

- Established in January 2010 and still going strong...
- Co-chaired by Eric Bristow (Canadian Fuels Association) and Lynda Lukasik (Environment Hamilton)
- Membership Includes: industry associations, public health, environmental groups, and some First Nations.
- Meets two to three times per year.

Air Standards/Regulation 419 External Working Group (EWG)

EWG Subgroups:

- Technical Standards (TSs)
 - Discuss policy related items such as updates to TSs, public reporting, etc.
- Modelling
 - Discussed transition plan for model version updates and plan to reconvene on Model Flaring Technical Bulletin
- Cumulative Air Emissions Assessment (CAEA)
 - Seeking recommendations on how CAE can be considered in the context of O. Reg. 419/05 - its instruments and policy proposals
- Transitional Operating Conditions (TOC) – new
 - Plan to discuss proposed new guidance/next steps

Questions?