

Ministry of the Environment,
Conservation and Parks
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Ministère de l'Environnement, de la
Protection de la nature et des Parcs
1er étage, 135 av. St. Clair O
Toronto, ON
M4V 1P5
Téléphone : (416) 898-4428



July 18, 2019

Matt Stimac, Value Team Leader, Flat Stack
Cogent Power Inc.
845 Laurentian Dr
Burlington, Ontario
L7N 3W7

Dear Mr. Stimac:

**Re: Application for Approval Air
Amendment to ECA No. 2903-ACJR8F- Addition of New Building and Operations
Adjacent to 845 Laurentian Drive
Burlington City, Regional Municipality of Halton
Reference Number 3325-B6WPE5**

We acknowledge receipt of your application for an Environmental Compliance Approval dated October 29, 2018 and received on November 26, 2018 for approval under Part II.1 of the Environmental Protection Act, R.S.O. 1990, c. E. 19 (EPA).

A preliminary review of your above-noted application indicates that you are seeking approval to engage in an activity of the type that must be registered in the Environmental Activity and Sector Registry (EASR). Unless a circumstance set out in section 2(2) of O. Reg. 1/17 exists at or in respect of the facility, the activities with air emissions must be registered in the EASR. The EASR is established under the EPA, and is an on-line self-registration tool in which persons who are proposing to engage in an activity prescribed for the purposes of subsection 20.21 (1) of the EPA must register the activity.

Ontario Regulation 245/11: Registrations Under Part II.2 Of The Act – General contains requirements on the information that is to be filed in the EASR, and the following regulation prescribes activities for the purposes of subsection 20.21 (1) of the EPA:

Ontario Regulation 1/17: Registrations Under Part II.2 of the Act – Activities Requiring Assessment of Air Emissions

Since your application involves only activities that are required to be registered in the EASR (i.e., prescribed activities) you are required to complete the on-line registration process. You do not

need to obtain an ECA in respect of these activities from the Director. Once you have registered the activities in the EASR, you will receive a confirmation of registration from the Director. Businesses register prescribed activities on-line in the EASR, through the Service Ontario portal at www.ServiceOntario.ca.

Please note that you are required to register a prescribed activity in the EASR before engaging in it, and are required to engage in the activity in accordance with the operating requirements set out in the regulations for that activity. It is a contravention of subsection 20.21(1) of the EPA to proceed with the activities prescribed by regulations without first registering the activities in the EASR.

Also note that the ministry will conduct pro-active inspections on facilities that register or are eligible for the EASR, as well as continue addressing reported incidents/complaints at the facilities. The ministry will also conduct pro-active audits to validate completed assessments of any air, noise or odour emissions to ensure they meet the EASR requirements. The regulation contains specific record-keeping requirements.

Your application, including the submitted application fee deducted by the administrative fee will be returned to you.

With respect to activities that are not required to be registered in the EASR, you are reminded that, under section 20.2 of Part II.1 of the EPA, you are required to obtain an approval under section 20.3 of Part II.1 of the Act before engaging in any activity mentioned in subsection 9 (1) or 27 (1) of the EPA or subsection 53 (1) of the Ontario Water Resources Act (OWRA).

For more information, please visit the Ministry's website at www.ontario.ca/environmentalapprovals. You may also refer to the attached toolkit which provides information to support businesses required by O. Reg. 1/17 (Air Emissions EAS regulation) to register activities in the EASR. It includes a checklist, fact sheet, flow chart, and links.

If you have any questions regarding the above, please contact Andrew Huang, P. Eng., Senior Air Engineer at (416) 314-7980.

Yours truly,

A handwritten signature in black ink, appearing to read 'Jeffrey McKerrall', written in a cursive style.

Jeffrey McKerrall, P.Eng.

Director

appointed for the purposes of Part II.1 of the *Environmental Protection Act*

AH/

c: District Manager, MECP Halton-Peel
Kemmy Hunter, Englobe Corp.

Ministry of the Environment and Climate Change

Air Emissions Environmental Activity Sector

Registration (EASR) Regulation Registration Toolkit

This toolkit provides additional information to support businesses eligible to register for the Air Emissions EASR. It includes a checklist, fact sheet, flow chart, and links.

To register for an **Air Emissions EASR** you will need to:

<p>1. Review guidance</p>	<ul style="list-style-type: none"> ✓ Fact Sheet (pages 2 and 3 of this document) ✓ Flow Chart (page 4 of this document) ✓ eLearning Modules <p>Additional Guidance</p> <ul style="list-style-type: none"> ✓ User Guide for the Air Emissions EASR Regulation (January 2017) ✓ Regulation O. Reg. 1/17 ✓ EASR Publication Document
<p>2. Prepare the required technical documents</p>	<p>Please refer to the User Guide for Air Emissions EASR Regulation (January 2017) to clarify what information is required for your registration. Depending on your activity(ies), you may need to prepare:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Environmental Activity and Sector Registry Emission Summary and Dispersion Modelling report (EASR ESDM report) and supplement <input type="checkbox"/> Noise Report <input type="checkbox"/> Acoustic Assessment Summary Table (if acoustic assessment conducted) <input type="checkbox"/> Operating, maintenance and monitoring procedures <input type="checkbox"/> Odour Screening Report <input type="checkbox"/> Odour Best Management Practices Plan <input type="checkbox"/> Odour Control Report <input type="checkbox"/> Fugitive Dust Control Best Management Practices Plan
<p>3. Set up your Service Ontario Account</p>	<p>Visit Service Ontario to set-up your account.</p>
<p>4. Set up your MOECC account</p>	<p>Log into your Service Ontario Account, select “Environmental Approvals” and begin the process of setting up your MOECC account.</p>
<p>5. Complete the Registration Online</p>	<ul style="list-style-type: none"> ✓ Client Information ✓ Site Information ✓ Eligibility Requirements ✓ Activity and Operation Information ✓ Upload of Emission Summary Table and Acoustic Assessment Summary Table ✓ Attestation ✓ Payment

Your MOECC account will have the details of your registration. You can also view your registration on Access Environment

(<http://www.accessenvironment.ene.gov.on.ca/AEWeb/ae/GoSearch.action?search=basic&lang=en>).

For more information:

Please call [416-314-8001](tel:416-314-8001) or [1-800-461-6290](tel:1-800-461-6290) or email EAASIBGen@ontario.ca.

FACT SHEET

How to Register Using the Air Emissions Environmental Activity and Sector Registration

A new online registration process for facilities with air emissions is effective on January 31, 2017. Eligible businesses are now required to obtain an Environmental Activity and Sector Registration (EASR). EASR is an online registration process for routine activities and sectors.

EASR makes it easier for businesses to register by:

- eliminating administrative burdens
- making the process faster, transparent, and more accessible
- potentially reducing costs through a one-time fee

Follow these steps to register for the proposed Air Emissions EASR:

1. Determine if your business/activities would be eligible

- For a list of eligible activities, see the Air Emissions EASR regulation (O. Reg. 1/17) posted on Ontario's e-Laws site (<https://www.ontario.ca/laws/regulation/r17001>).
- Facilities with air emissions that meet the criteria in the Air Emissions EASR regulation are able to register activities under the new EASR, with some exceptions.

2. Gather the required information to prepare your submission

The following information is required prior to registering a new or existing facility or making any modifications:

- The review and/or completion of assessments of any air, noise or odour emissions from the facility
- Confirmation that the reports are in compliance with the regulation and guidelines by a licensed engineering practitioner.
- Operating procedures and maintenance programs for sources of contaminants.

O. Reg. 1/17 Requirements

<u>Air Emissions</u>	<u>Noise Emissions</u>	<u>Odour Emissions</u>
<ul style="list-style-type: none"> ➤ EASR ESDM (Environmental Activity and Sector Registry Emission Summary and Dispersion Modelling) report prepared in accordance with O. Reg. 419/05 using one or more approved dispersion models ➤ EASR ESDM report must be accompanied by an EASR ESDM report supplement ➤ Best Management Practices Plan for fugitive dust (if applicable) ➤ Statement verifying each piece of combustion equipment (boiler or heater, electricity generation engine, or small wood fired combustor) meets in-stack limits 	<ul style="list-style-type: none"> ➤ Assessment of noise emissions using the Primary or Secondary Noise Screening Method or an acoustic assessment ➤ A noise abatement action plan may be included in a noise report if the facility commenced operation before January 31, 2017 and noise emissions exceed applicable sound level limits (see NPC-300) ➤ Acoustic summary table (if an acoustic assessment was prepared) submitted electronically with registration 	<ul style="list-style-type: none"> ➤ An odour screening report ➤ If screening report confirms circumstances as set out in O. Reg. 1/17, a Best Management Practices Plan for Odour and/or Odour Control Report must be prepared

3. Complete your registration online

Visit www.ontario.ca/page/environmental-activity-and-sector-registry to find out how to set-up your account and register for an EASR online. You can set-up your account now. If you are a new registrant you will need to pay a one-time registration fee of \$2,353.

Additional Information

Proposed Exemptions

The ministry has consulted on proposed amendments to the Environmental Compliance Approvals Exemption regulation (EBR # 012-8764) to exempt the following activities from applying for an environmental compliance approval or registering on the Environmental Activity and Sector Registry:

- Equipment used at Public and Private Schools (primary and secondary);
- Heating, Ventilation and Air Conditioning (HVAC) Systems;
- Standby Power Systems; and,
- Comfort Heating Systems Small Wood Fired Combustors (rated at 50kW or less).

The exemptions would reduce the regulatory burden on less complex activities whose emissions do not pose a significant risk to human health or the environment. The types of facilities where these activities typically occur include office buildings, apartment buildings and public and private schools.

If you are transitioning from an ECA to an EASR

Environmental Compliance Approval (ECA) applicants who submitted an application on or before December 31, 2016 have the option to remain in the ECA process or withdraw and register on the EASR. If you choose to remain in the ECA process you have to register by 2027 or when a facility modification occurs.

The regulation comes into force on January 31, 2017, at which point businesses can begin registering their activities under the new Air Emissions EASR. After this date new and existing facilities that make modifications are required to register their activities under the Air Emissions EASR.

Further, by January 31, 2027 an existing ECA issued for any activity to which the regulation is applicable will cease to apply.

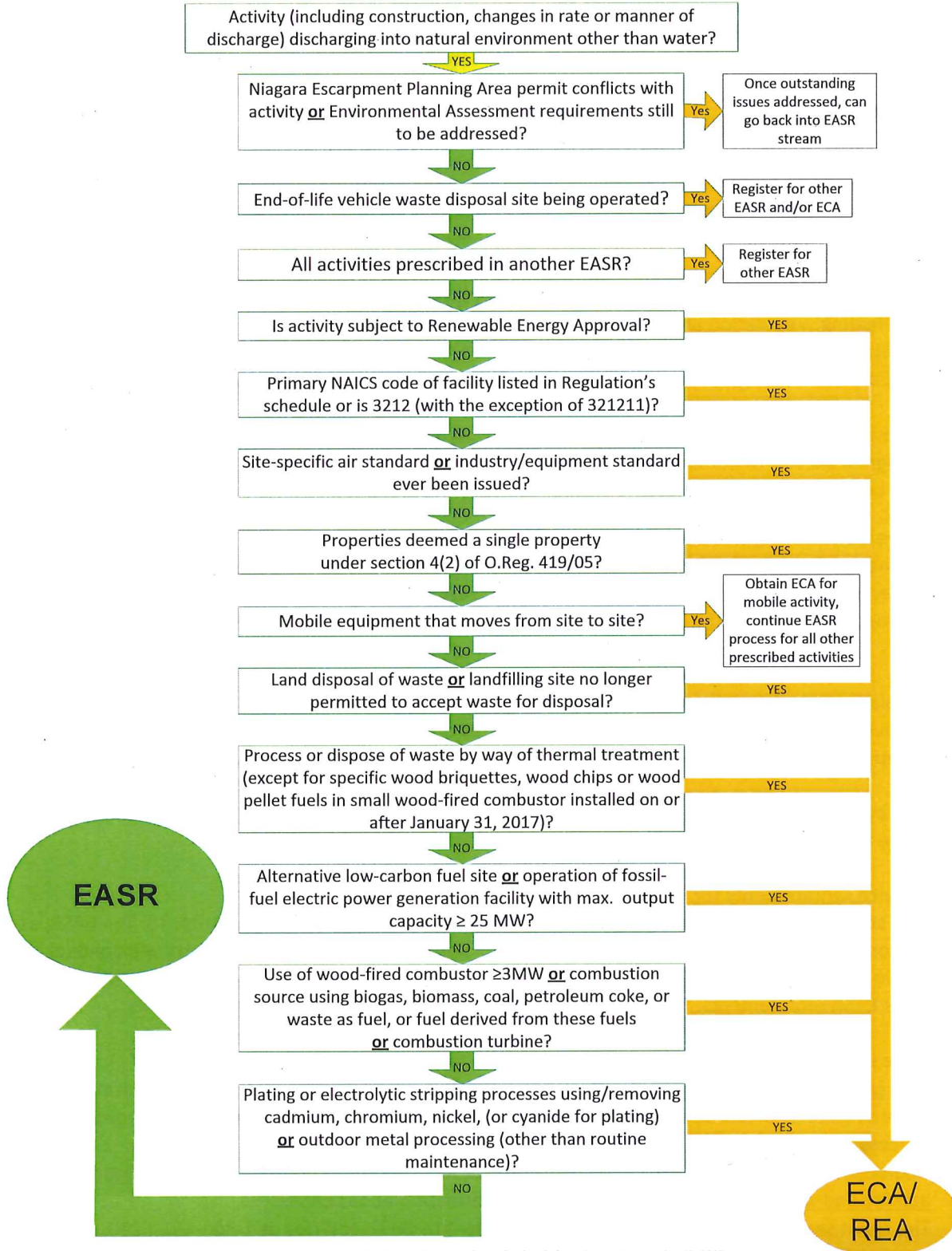
Compliance requirements for EASRs

Ministry staff will conduct proactive inspections on facilities that register or are eligible for the EASR, as well as continue addressing reported incidents/complaints at the facilities. The ministry will conduct pro-active audits to validate completed assessments of any air, noise or odour emissions to ensure they meet the EASR requirements. The regulation contains specific record-keeping requirements.

For more information and support using EASR

- Visit spaces.hightail.com/space/7gpSA to view eLearning modules to support your registration. New eLearning material will be available in January 2017 to guide proponents through the registration process.
- Additionally, the Environmental Activity and Sector Registry (www.ontario.ca/page/environmental-activity-and-sector-registry) contains detailed information about EASRs.
- The client services help desk can be reached at 416-314-8001, toll-free at 1-800-461-6290, or by email at EAASIBGen@ontario.ca.

Air Emissions EASR Flow Chart



Note: For illustrative purposes only. Please refer to regulation for detailed requirements. Jan 13, 2017