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January 21, 2022

EA Modernization Project Team
Environmental Assessment Modernization Branch
135 St Clair Ave West
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Toronto, ON
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Canada

Re: Moving to a project list approach under the Environmental Assessment Act.

Dear Sir or Madam,

I am writing in response to the Environmental Assessment Act consultation draft released for public comment. Omni Conversion Technologies Inc. (Omni) is an interested party and wishes to comment on Part IV Waste Management Projects. Omni is the successor to Plasco Energy Group Inc.

Our comments are specifically directed to Section 26. (1) (h). The proposed language is as follows:

26.(1)(h) establishing or making a change to a thermal treatment site if,

> *(i) the site is located at a commercial, industrial or manufacturing facility,*
> *(ii) the primary purpose of the facility is not the management of municipal waste, hazardous waste, liquid industrial waste or any other kind of waste,*
> *(iii) not more than 100 tonnes of waste are received at the facility per day, and*
> *(iv) of the energy or fuel generated by thermal treatment at the site that is used,*
> > *(A) all of the energy or fuel is used at the facility, and*
> > *(B) not all of the energy or fuel is used to dispose of waste;*

It is important to bring context and history around section 26. (1)(h) (iii) noted above. This particular clause reflects the same language that exists in O. Reg. 101/07.

When Ont. Reg. 101/07 was conceived, it was borne in response to O. Reg. 254/06 Called the Plasco Demonstration Project Regulation.

In fairness to other technologies that might have emerged and deliver environmental benefit, Ministry of Environment, implemented an exemption in O. Reg. 101/07 that provided an exemption to all technologies of similar scale to Plasco's pre-commercialization demonstration under the Plasco Demonstration Project Act.

At the time, Plasco, as well as the Ministry thought that 100 TPD would be of sufficient scale to demonstrate a project. After such successful demonstration, attracting standard private sector risk capital for full-scale commercial plants would be much easier.

To the best of our knowledge, there was no technical or environmental reason to establish an exemption limit at 100 TPD versus a higher limit that was closer to full commercial scale, other than it was generally consistent with Plasco's Trail Road Demonstration Plant.

We have learned, through direct experience that to attract private sector risk capital, the scale of the demonstration project at 100 tonnes per day is not sufficient. A scale of 200 tonnes per day has gained acceptance as commercially viable provided the technology is proven in operations.

With clear safeguards for environmental performance a limit of 200 tonnes per day under the exemption would achieve the objectives of opening opportunity for commercial facilities.

The entire waste-to-energy and waste-to-clean recovered materials/fuels[1] industry would be significantly assisted if the threshold limit referenced in 26. (1)(h) (iii) was raised to 200 TPD, closer to an economically sustainable scale.

Notwithstanding, such raising to 200 TPD should be accompanied by a reduction of the environmental risks, currently accepted for the 100 TPD facilities.

In light of experience and the potential for environmental benefit, Omni recommends that the Ministry provide additional flexibility under 26. (1)(h) (iii) to increase from 100 TPD to 200 TPD on the following conditions:

- The thermal process, itself, has zero emissions in the creation of an energy gas from waste that can displace NG.

- The energy gas when combusted has an emissions profile that is equal to or better than natural gas.

Recovered material: An output from the thermal treatment of waste would be a recovered material if there is a demonstrated market demand, and the output material meets the following criteria:

<u>If the material is not a fuel:</u>

- It is capable of being wholly used as a feedstock to completely or partially replace existing inputs in an agricultural, commercial, manufacturing or industrial process or operation whether or not the process or operation uses any virgin feedstock; or
- It meets a recognized national or international standard (e.g., ASTM D2827-19 Standard Specification for Styrene Monomer)

<u>If the material is a fuel, it meets any of the following conditions:</u>

- It is a gaseous fuel that will be upgraded to replace the use of natural gas (e.g. biogas or hydrogen gas):
- It is capable of being accepted without any further processing by an existing distribution system, where it meets its standards; or
- It meets an ASTM International or equivalent fuel standard (e.g., Federal Renewable Fuels Regulations SOR/2010-189).

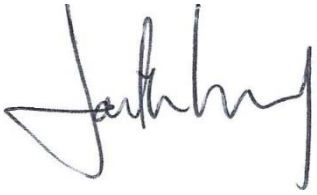
- The thermal process produces zero solid waste by converting solid outputs into recovered materials.

- Any water discharge from the process must be acceptable for treatment by a municipal wastewater treatment facility or be treated so as to comply with appropriate water discharge regulation.

Adopting up to 200 TPD on a conditional basis noted above mitigates the environmental risk while allow these important environmental projects to attract capital from the private sector. Failing to satisfy all flexing conditions, the proponent could continue with the exemption at 100 TPD as presented in the draft.

Omni has significant potential projects across Ontario, Canada, and the world, but a critical success factor in commercializing these opportunities is the speed at which we can demonstrate the technology at a minimum of 200 TPD.

We would welcome the opportunity meet and present further information to you on our exciting technology, its demonstrated performance, and its leadership in terms of sustainable social, economic and environmental benefit to Ontario, Canada and world.



Jonathan Lundy, B.A. J.D.

Chief Executive Officer