

**Ministry of  
the Environment**

Office of the Minister

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**Ministère de  
l'Environnement**

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January 22, 2010

Mr. Jayson Myers  
President and CEO  
Canadian Manufacturers and Exporters  
1 Nicholas Street, Suite 1500  
Ottawa ON K1N 7B7

Dear Mr. Myers:

The Ontario Government is moving forward to modernize the environmental approvals process as part of the Open for Business initiative. The new approach will simplify approval processes for lower-risk activities and speed up approvals for higher-risk activities, while maintaining and improving the environmental standards of protection.

The new model will be introduced over the next three years and will support economic competitiveness in Ontario and improve client services. Proposed changes include:

- speeding up application turn-around times;
- introducing a new electronic environmental registry;
- on-line service delivery and service guarantees;
- focusing resources on higher environmental risk activities; and
- focusing on businesses or facilities with poor compliance records.

In February, the Ministry of the Environment will begin formal consultations, followed by the creation of a plain language discussion document and a posting on the Environmental Registry. Consultations will include a round table of experts from the business community and environmental organizations. It is my pleasure to invite you to join the round table.

Your participation in the round table would include:

- providing feedback and input on a variety of matters related to the development and implementation of the new process;
- discussing potential components of regulations and the technical standards in Ontario;
- providing feedback on various design elements; and
- providing linkages back to the broader stakeholder community.

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Mr. Jayson Myers  
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We anticipate that the round table will meet for about 3-4 hours every 2-4 months depending on the needs and issues to be addressed.

We also intend, as we have done with other recent Open of Business initiatives, to meet with interested parties one-on-one and in other forums as the project progresses to ensure we create the best environmental approvals system possible.

The first round table meeting will be held on February 17, 2010:

Location: Ontario Investment and Trade Centre  
250 Yonge Street, 35<sup>th</sup> Floor  
Toronto, Ontario  
M5B 2L7

Time: 9:00 a.m. to 12:00 p.m.

Should you have any questions about logistics or attendance at this meeting, please contact Robin Di Tosto (416-325-7497). If you have any questions about the project, please contact Mark Christie, Project Manager (416-325-7485) or Marcia Wallace, Manager (416-327-9466).

Enclosed is a brief backgrounder on the proposed modernization of approvals project.

Please confirm your interest in working with us on this exciting initiative that we believe will be a win for industry and the environment.

Sincerely,



John Gerretsen  
Minister

Enclosure

## **Background: Modernization of Approvals**

The Ministry of the Environment (MOE) is transforming Ontario's approvals process to create a modern, user-friendly approach that remains fully protective of the environment.

### **Improving the approvals process**

Over the next three years, the MOE proposes to phase in improvements to the approvals process. The current Certificate of Approval process would be replaced with comprehensive, more flexible approvals. Multiple approvals for a single facility would be reduced, allowing minor modifications to equipment or operations without having to come back for approval to do so. The MOE is also looking at an electronic process for submitting applications and issuing approvals.

### **Reducing the number of approvals issued and ensuring businesses meet environmental standards more easily and effectively**

The MOE receives more than 6,000 requests for Certificates of Approval each year. These requests do not all require the same level of review. The MOE proposes an approach that focuses resources and efforts on activities that pose the greatest risk to public health and the environment.

### **Two-tiered approach**

Through modernization of approvals, the MOE proposes a new two-tiered process. This includes a new Certificate of Approval process for higher-risk environmental activities and a new rules-based environmental registry process for lower-risk environmental activities. Achieving this approach would require:

- developing the necessary legislative and regulatory authorities;
- new and re-engineered business processes; and
- modifying the ministry's information management and information technology structures and processes.

### **Majority of applicants are low-risk**

A significant portion of current applications are for activities that pose a lower risk to human health and the environment. The risks associated with these activities and sectors can be addressed through a self-registration process with appropriate audit and compliance tools in place.

The proposed modern approach would simplify processes for low-risk sectors and activities. This would allow for more comprehensive reviews and faster approvals for higher-risk activities. The recommended two-tiered approach is consistent with practices in other jurisdictions, including California and Oklahoma.

### **Legislative and regulatory change**

Modernizing approvals means moving from a paper-based to an electronic process for submitting applications, issuing approvals, and registering and reporting for businesses with lower-risk activities. Substantial legislative and regulatory changes would be required to implement this modern process.

### **Open for Business**

The MOE's efforts to update its approvals process are a key part of the province's Open for Business initiative.

This ambitious three-year initiative will create faster, smarter and streamlined government-to-business services that make Ontario more attractive for business development while protecting the public interest and the environment. It also seeks to transform Ontario's government-to-business relationship.

### **Round Table Consultations**

Starting in February 2010, round table consultations will involve the business community and environmental organizations. A plain language discussion paper will also be posted on the Environmental Registry as part of the formal consultation process.

Participation in the round table includes:

- providing feedback and input on a variety of matters related to the development and implementation of the new process;
- discussing potential components of regulations and the technical standards in Ontario;
- providing feedback on various design elements; and
- providing linkages back to the broader stakeholder community.

The round table will meet for about 3-4 hours every 2-4 months depending on the needs and issues to be addressed.