

Environmental REGISTRATION

Section 20.18 Orders

The Ministry of the Environment is transforming its environmental approvals program. It has worked closely with business, industry and other stakeholders to develop a registration process for standard and routine-type activities and sectors, specifically heating systems, standby power systems and automotive refinishing. On **October 31, 2011**, businesses will be able to register these activities in the **Environmental Activity and Sector Registry (EASR)**.

Activities that are not subject to the registration process may instead be required to obtain an **Environmental Compliance Approval (ECA)**.

Note: If, as of October 31, 2011, you have an existing Certificate of Approval, it will continue to apply and will be treated as an ECA after that date without any immediate action on your part.

How do I know if I can use the Environmental Activity and Sector Registry (EASR) or need to get an Environmental Compliance Approval (ECA)?

You can register an activity if it meets the eligibility requirements detailed in Ontario Regulation 245/11 (O. Reg. 245/11) under the Environmental Protection Act.

On October 31, 2011, the following activities can use the EASR:

- heating systems
- standby power systems
- automotive refinishing

If you are engaged in an activity that does not meet the eligibility requirements, you may need to obtain an ECA instead.

Do I have to use the EASR if I engage in an activity that is eligible?

Yes. You will eventually need to register the activity unless an order under section 20.18 of the Environmental Protection Act is issued.

Note: Generally, if you have an approval covering an eligible activity, you **do not** need to register it until:

- you need to make a change to the activity that would have otherwise required amending the approval, or
- by the date required in the regulation stating when the approval for an activity expires. (For heating systems, standby power systems and automotive refinishing, this date is October 31, 2016 — five years from the date the regulation comes into force).

What is a section 20.18 order?

Under section 20.18 of the Environmental Protection Act, a ministry director has the authority to issue an order stating that the EASR process, including requirements under O. Reg. 245/11, do not apply to a specific activity at a site. Once the order is issued, the activity would fall under the ECA-approval process instead.

Generally, if you are engaging in, or will be engaging in an activity that is eligible for the registry — but don't have an approval — you will need to register the activity as of October 31, 2011.

Can I request a section 20.18 order?

Yes, a business that is or will be engaging in an activity that is subject to the requirement to register may make a request to the Director to issue a section 20.18 order.

When making the request, you will need to state the reason why the requirement to register should not apply and specify the activity and the site for which you are seeking the order.

Where can I make the request?

As of **October 31, 2011**, you can make the request for a section 20.18 order online at **www.service-ontario.ca**, either prior to, or concurrently with, an application for an ECA.

What happens after I make the request?

A ministry director will review and consider your request.

If the order is issued, you do not have to register the activity, and one of the following will apply:

- if you have an existing approval covering the eligible activity, the approval continues to be valid
- if you do not have an existing approval, you must apply for an ECA for the activity

If the order is not issued, you must register the activity.

Where can I get more information?

Visit: **www.ontario.ca/environmentalapprovals**

Call: **1-800-461-6290** or **416-314-8001**

Disclaimer: If any differences exist between this document and the legislation and regulation then the legislation and regulation prevail.