

Updates to the "Guideline for the Implementation of Air Standards in Ontario" (GIASO)

<http://www.ene.gov.on.ca/en/air/ministry/index.php>

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Purpose of Presentation

The purpose of this presentation is to:

- Provide overview of recent updates to Guideline A:12 "Guideline for the Implementation of Air Standards in Ontario" (GIASO) (PIBs# 5166e02).

IMPORTANT NOTE: These slides are intended to be a brief summary of some of the amendments to Ontario Regulation 419/05. Information contained in this presentation is only for information purposes. Interested parties must refer to Regulation 419/05 for a comprehensive understanding of the legal requirements of facilities. Ontario Regulation 419/05 as amended will take precedence in the event of a conflict between the Regulation and this document. The Regulation 419/05 web-site contains comprehensive information a link to the Regulation.
<http://www.ene.gov.on.ca/en/air/ministry/index.php>.

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2007 Regulatory Amendments

On August 31, 2007, the Ministry of the Environment (MOE) announced decisions on amendments to Ontario Regulation 419/05: Air Pollution – Local Air Quality.

- News Release available on MOE website
(<http://www.ene.gov.on.ca/en/news/2007/083101.php>)
- Amending Regulation 516/07 available on e-Laws
(www.e-laws.gov.on.ca/html/source/regs/english/2007/elaws_src_regs_r07516_e.htm)
- Consolidated Regulation 419/05 available on e-Laws
(http://www.e-laws.gov.on.ca/html/regs/english/elaws_regs_050419_e.htm)

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Key Revisions by Sections

- **In General**
- Clarification in the title that this guideline deals not only with the alteration of standards process but also how to address Upper Risk Thresholds.
- Throughout GIASO, many of the excerpts from the regulation itself had to be updated to reflect the regulatory amendments.
- Terminology – change from Alternative Standard to Alteration of the Standard or Altered Standard throughout the document.
- Clarification of the terminology for Ambient Air Quality Criteria (AAQC). O.Reg. 419/05 includes air standards – not AAQCs. There are either Schedule 3 standards or guidelines for Schedule 3 users.
- Since O. Reg. 337 has been revoked, MOE has now published a separate list of AAQCs for use in air quality studies and environmental assessments.

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Key Revisions by Sections

- **Chapter 1.0 – Introduction**

- Updated reference to MOE publication “Summary of Standards and Guidelines to Support Ontario Regulation 419: Air Pollution – Local Air Quality (including Schedule 6 of O. Reg. 419/05 on Upper Risk Thresholds)” February 2008
- Included reference to the “Guide to Requesting an Alternative Air Standard” (GRAAS)

- **Chapter 1.5 – Who is eligible to Request an Altered Standard?**

- Addition to **Table 1: Summary of who can request an Altered Standard:**
The Director may issue an order to require a person to make a request for an Altered Standard in accordance with a plan developed or amended as part of that order. This will also allow the Director to open a window for a request where one may not exist.

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Key Revisions by Sections

- **Chapter 2 - Alteration of Standards using a Risk-Based Decision Making Framework**

- Reinforce that the requirements for URTs exist independent of the altered standards process (see section 30 of the Regulation). URTs are also used in making decisions for requests under section 32 – Alteration of Standards.
- Included reference to the “Guide to Requesting an Alternative Air Standard” (GRAAS)

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Key Revisions by Sections

- **Chapter 2.2.2 Emission Summary and Dispersion Modelling Reports**
- ESDM Reports prepared for Altered Standards Requests (s.32) and URT exceedences (s.30) and are now required to assess both of the operating scenarios described in subsection 10(1) of the Operating Conditions section, namely:
 - The conservative maximum operating scenario
 - The scenario based on actual operating data from the previous year
- Assessment of Frequency is based on the averaging time of the standards (not the number of days).

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Key Revisions by Sections

- **Chapter 2.4 Technology Benchmarking (Risk Control)**
- Reference to GRAAS (Appendix A) for more information on how to develop a technology benchmarking report (see also Chapter 2.4.2.1, 2.44)
- Adopting terminology from GRAAS - technically feasible pollution control combination. Revisions to Appendix III (Example for Risk Score only).
- New notice under s.27.1 to allow the Director to request a Technology Benchmarking Report (outside of the Alternative Standards Process).
- **Chapter 2.5 Economic Considerations (Risk Evaluation)**
- Clarification that the Economic Considerations must be in a separate report – not in the Technology Benchmarking Report.
- **Table 4: Indicators of Financial Hardship** – correction of column headings (less and more than corrected).

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Key Revisions by Sections

Chapter 2.6 - Stakeholder Involvement

- Under Section 32 of the Regulation – Alteration of Schedule 3 Standards:

(20.1) The person making a request under subsection (1) shall provide written material referred to in clause (20) (a) or (b) as soon as practicable to any person who makes a request for the material within 30 days after the public meeting required by subsection (18).

(31) If the Director approves the alteration of a standard under subsection (21), the person who requested the alteration shall,
(a) give a copy of the approval to any person who requests it; and
(b) make the written material referred to in clause (20) (a) or (b) available for inspection by any person at the facility during regular business hours during the period that the alteration of the standard applies.

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Key Revisions by Sections

• Chapter 2.7 - The Action Plan

- New order under s.32 created to allow the Director to bridge to a timeframe where the Altered Air Standard would take effect.
- The final action plan can be incorporated as conditions on the approval of an altered standard(s), an order under subsection 32(31.1) and/or the C of A.
- Further public meetings may be considered depending on community responses to the proposal and timing of the action plan.

• Chapter 2.9 - Verification/Monitoring

- An approval of an altered standard may also be amended (see section 31.4 of O. Reg. 419/05).

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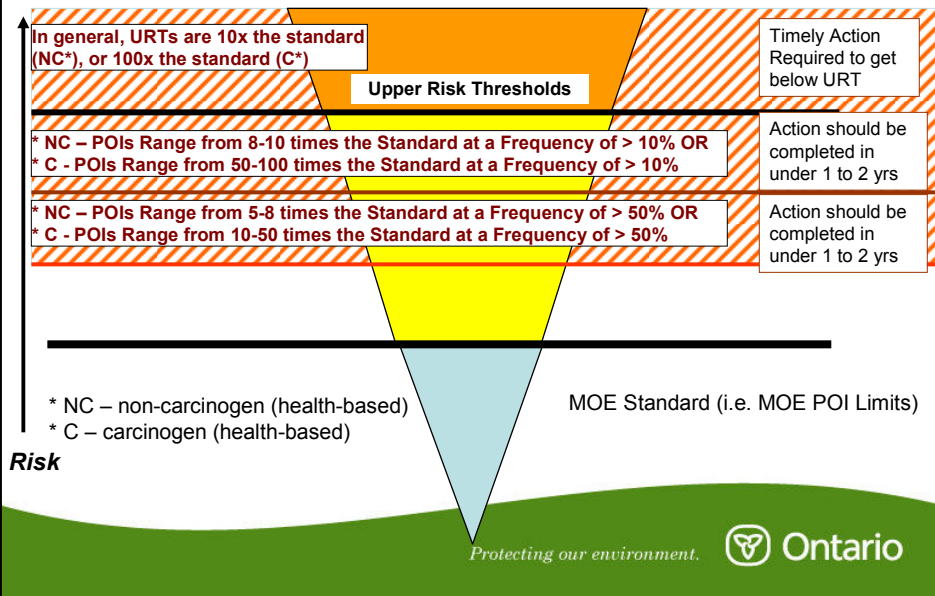
Key Revisions by Sections

- **Chapter 4.0 – Factors to Consider When there are Exceedences**
- **Figure 4: Approach for Consideration of Magnitude and Frequency** (Updated Format)
- For the analysis of frequency associated with an exceedence of a URT, it is necessary to determine a number of ranges for frequency (as illustrated in Figure 4):
 - POI concentrations above the URT at a specified receptor;
 - POI concentrations in the range of 8 to 10 times the standard for non-carcinogens or 50 to 100 times the standard for a carcinogen;
 - POI concentrations in the range of 5 to 8 times the standard for non-carcinogens or 10 to 50 times the standard for a carcinogen.
 - POI concentrations above the standard at a specified receptor;
- Modelling tip re: ISCPRIME or AERMOD it assessing frequency of exceedences.

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Considerations of Frequency

(see A:12 Guideline for the Implementation of Air Standards in Ontario (GIAISO) Chapter 4)



Key Revisions by Sections

- **APPENDIX II: A Risk Scoring Method**

“This risk score is not a regulatory requirement – it is optional. The risk scoring method may be useful if a facility were dealing with exceedences of multiple contaminants and there was a desire to determine which contaminants may be of greater concern and hence require quicker action. The risk score is only intended to allow consideration of higher risk contaminants for priority action. It is a relative score and should never be used in isolation to make determinations about health and environmental impacts.”

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Questions?