

March 23, 2007

## IMPROVING THE ENVIRONMENTAL ASSESSMENT PROCESS

The proposed Waste Management Projects Regulation classifies waste projects based on the type of waste, the size and, in some cases, the ability to generate energy.

This regulation will make the environmental assessment process clear, consistent and transparent for municipalities, the private waste industry and the public.

Waste projects will now fall under one of three process streams:

1. Projects with minimal environmental effects will not require approval under the Environmental Assessment Act. These include:
  - transfer, handling and composting facilities processing 1,000 tonnes of waste or less per day
  - industrial, commercial or manufacturing facilities using energy from waste in their process if using less than 100 tonnes of waste per day
  - landfills smaller than 40,000 cubic metres
2. Projects that have predictable environmental effects that can be readily mitigated would undergo an environmental screening process. These include:
  - recycling facilities of any size will not have to go through the EA process providing just 1,000 tonnes per day of residual waste ends up going to disposal
  - landfills or landfill expansions with total disposal volume of between 40,000 and 100,000 cubic metres
  - thermal facilities with energy from waste component
  - thermal facilities without an energy-from-waste component if disposing of 10 tonnes of waste or less per day
  - landfill excavation that reclaims between 40,000 and 100,000 cubic meters of landfill space without increasing the total capacity of the landfill

Projects that must undergo an environmental screening process can be elevated to an individual environmental assessment, if warranted.

3. Projects with the potential for significant environmental impacts will require an individual environmental assessment. These include:
  - final disposal of liquid industrial or hazardous wastes
  - large landfills with a total waste disposal volume of more than 100,000 cubic metres
  - landfills to which more than 100,000 cubic meters of waste disposal volume are added
  - thermal facilities without an energy-from-waste component if disposing more than 10 tonnes of waste per day

Waste projects remain subject to all other applicable legislation including the Environmental Protection Act.

### **The Environmental Screening Process**

The proposed environmental screening is a self-assessment process with 14 mandatory steps requiring a minimum of four consultation periods. A proponent's failure to comply with the requirements outlined in the environmental screening process may result in the proponent being subject to the Environmental Assessment Act.

Some of the key steps in the screening process require a proponent to:

- Consult on all aspects of the proposed project, including plans for establishing, constructing, operating, changing, expanding or retiring the project.
- Identify the potential negative and positive environmental impacts on surface and ground water, land, air and noise, the natural environment, resources, heritage, culture and Aboriginal communities, and any socio-economic issues.
- Conduct studies to determine what the impacts will be, and detail what mitigation and/or monitoring measures will be required.
- Following consultation on the studies and identification of mitigation and/or monitoring measures, assess the advantages and disadvantages of the project, and any concerns brought forward by stakeholders. Proponents may determine that additional studies may be needed to address concerns.
- Once the screening process is complete, prepare an environmental screening report and make the report accessible to government agencies, interested persons and Aboriginal communities for a 60-day comment period. If there are no comments, the proponent can proceed with a statement of completion. At this point, the project may proceed subject to any other required approvals.

### **Transition Provisions**

If a project was previously subject to an individual environmental assessment, and the proponent had submitted its EA or a terms of reference (the work plan for the EA), the proponent can switch to the environmental screening process instead of completing the review as an individual EA, but only within 60 days of the regulation coming into force. If the proponent has chosen this path, and is subsequently given notice by the Director to prepare an environmental assessment, the proponent may rely on any prior approvals (i.e. Terms of Reference) that were obtained.