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Sean Avery
Air Pollution Control Engineer
Ministry of Environment, Conservation and Parks
Technical Assessment and Standards Development Branch
9th Floor, 40 St. Clair Ave. W.
Toronto, ON, M4V 1M2
Submitted via email to: Sean.Avery@ontario.ca

RE: ONEIA response to Technical Bulletins for Odour Control

Dear Mr. Avery,

On behalf of Ontario's more than 3,000 environment and cleantech firms, the Ontario Environment Industry Association (ONEIA) is pleased to provide our comments on the Ministry of Environment, Conservation and Parks' Draft Odour Technical Bulletins.

Ontario is home to Canada's largest group of environment and cleantech companies. The most recent statistics from the federal government show that Ontario's environment sector employs more than 226,000 people across a range of sub-sectors. This includes firms working in such diverse areas as materials collection and transfer, resource recovery, composting and recycling solutions, alternative energy systems, environmental consulting, brownfield remediation, and water treatment – to name just a few. These companies contribute more than \$25-billion to the provincial economy, with approximately \$5.8-billion of this amount coming from export earnings.

ONEIA members are committed to engaging with governments as they develop policies and regulations that are consistent with our principles of sound science, sound environment, and a sound economy. To that end, we convened a working group of members drawn from across the resource recovery sector to review the Draft Odour Technical Bulletins.

Key Comments

ONEIA would like to thank the Ministry for the opportunity to comment on the technical bulletins circulated on February 5.

ONEIA understands the Ministry's interest in assessing and leveraging suitable practices to manage odours from operations.

ONEIA understood that the prior iteration of Draft Odour Technical Bulletins were withdrawn and new consultations would occur.

ONEIA reiterates our concern about potential use of these bulletins to create legal obligations on Environmental Compliance Approval (ECA) holders or applicants, by either reference in an ECA or by broader regulatory adoption.

ONEIA requests that the MECP re-engage with our members and others in the stakeholder community to re-visit the Draft Odour Technical Bulletin to address previously noted concerns, as well as three new and emergent concerns regarding future use of such Bulletins.

1. Currency and applicability of “Best Practices”:

ONEIA members believe that the documents capture, generally, best practices as currently known, with exceptions noted in the W2RO and CBA submissions referenced below, and we acknowledge that as a resource these bulletins may be helpful to companies developing and managing their odour management plans. However, these practices may be superseded by new “best practices” over time and there should be a flexibility to acknowledge future improvements. In addition, when evaluating how well these practices may “fit” with any specific site environment, one must consider site specific parameters and, as such, we recommend these bulletins be used strictly as a resource only, not as a foundation to create legal obligations.

2. ECA terms and conditions:

ONEIA members encourage the Ministry to continue to allow all ECA applicants, who know their site and operations best, to develop their own odour management plans, using the technical bulletins as a resource where they see fit. In the review of an ECA, we encourage the Ministry to offer the applicant a draft of the terms and conditions of the ECA in order for the applicant to have the opportunity to discuss the draft terms and conditions and allow flexibility for the applicant to implement their odour management plans in the most optimal and cost-effective way possible.

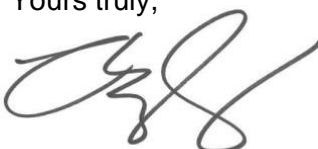
3. Compliance related activity:

If the Ministry finds it necessary to take compliance measures, we encourage the Ministry to maintain a consistent approach to compliance across all industrial sectors including agriculture. While there can be expected differences due to the circumstances of a particular site (e.g., location, nature of odour, etc.), we do not believe it would be fair to create inconsistencies in the application of compliance requirements made solely on a whether the operation is in one an industrial sector or another, or within the agricultural sector.,

Finally, we have consulted with the W2RO and the Canadian Biogas Association who shared a draft of their responses with us. We want to support the content of the W2RO and the Canadian Biogas submissions, particularly their comments around the historical nature of this issue, i.e. the fact that these bulletins were paused due to concerns raised by industry. The central focus of industry concerns is that these technical bulletins could become foundations for legal obligations in an ECA or more broadly referenced in regulation. We implore the Ministry not to use these bulletins in this manner.

We welcome the opportunity to discuss our position and recommendations further. Please contact our office at info@oneia.ca or at (416) 531-7884 should you have any questions.

Yours truly,



Tim Murphy
Board Chair, ONEIA