

MUNICIPAL CLASS EA ANNUAL MONITORING REPORT EXECUTIVE SUMMARY SEPTEMBER 2008

The Municipal Class EA dated June 2000 was approved with conditions by Order of Cabinet on October 4, 2000. An amendment, to the Class EA, was approved on November 5th, 2007. Condition #4, of the original approval, requires that a Municipal Class EA Monitoring Program be further defined and implemented. The Municipal Class EA Monitoring Program has been prepared by the Municipal Engineers Association (MEA) through discussions with the Ministry of the Environment (MOE) and the Ministry of Municipal Affairs and Housing (MMAH) for submission to the Director of the MOE - Environmental Assessment and Approvals Branch (EAAB) by October 4, 2001 for approval.

In 2005, the five year review identified a number of issues. These were addressed through three amendments to the Municipal Class Ea. In summary, these amendments included:

- a minor amendment which addresses a number of housekeeping issues;
- a major amendment which creates a new sub-class of activities (Schedule A+) and reorganizes the classification of certain activities; and
- a new chapter which expands the scope of the Class EA to include municipal transit projects.

These amendments were approved on September 6th, 2007 and a consolidated document has been printed.

In 2008 questionnaires were circulated to the Proponent Municipalities, Technical Agencies and other Key Stakeholders identified in the Monitoring Program. The Ministry of the Environment was also asked to provide a summary of the Notices of Completions and Part II Order requests which they had received.

Responses from Proponent Municipalities indicate that;

- 1) Only larger municipalities in growth areas complete many Schedule B or C projects. Municipalities are filing Notices of Study Commencement and Notices of Completion appropriately;
- 2) Project schedules are appropriate;
- 3) Municipalities do not have difficulty determining appropriate schedule and are not challenged on the choice;
- 4) Interpretation of project schedules is consistent;
- 5) No amendments, to the project schedules, are suggested;
- 6) The Municipal Class EA is easy to follow. Some municipalities would use the new transit regulation rather than the new Class EA transit chapter;
- 7) The Municipal Class EA provides for the appropriate level of documentation;

- 8) Although some proponents have, at times, been requested for additional information, generally stakeholders are satisfied with the level of documentation;
- 9) Technical agencies sometimes do not respond in a timely manner;
- 10) Only some proponents have received a Part II Order request in the past year. MOE's review of Part II Order requests has not been timely in some cases;
- 11) Proponents are satisfied that Class EA process continues to be effective;
- 12) Only some municipalities have applied Schedule A+. Those that applied this process found it effective;
- 13) Administration costs are generally 5-10% of total budget. Schedule A projects represent 25-95% of the total budget. A single large Schedule B or C project can shift this percentage dramatically for a given year especially in a small municipality; and
- 14) Most municipalities support the MEA taking steps to alter the shelf life for consistency.

A summary of the Notices of Completion for Schedule B and C projects is found in Appendix B. This summary shows that in 2007 MOE received 64 Notices of Completion of Schedule B projects and 48 Notices of Completion of Schedule C projects and 4 notices related to the integrated approach. In 2007, 91 difference municipalities submitted Notices of Completion, an increase from 51 municipalities in 2002.

A summary of the Part II Order Requests which were dealt with by MOE in 2007 is found in Appendix C. This summary shows that of the 20 requests received, all 20 requests were denied and no orders were issued in 2007. The time for the Minister to respond ranged from 149 days to 840 days.

MEA finds this response time unacceptable. In 2006, the Director of the EA Branch promised that the authority to respond to Part II Order Request would be delegated to the Director and that the responses would be provided in a timely manner. MEA is disappointed that this does not seem to have occurred;

3.5 NOTICES OF COMPLETION

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3.6 PART II ORDER REQUESTS

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MOE advised that the Ministry is currently clearing a backlog of Part II Order Requests and plans to be more timely with responses in the future.

MEA ACTIONS

MEA intends to submit a minor amendment, to the Municipal Class EA, to;

- a) adjust the cost limits identified for Schedule B and C projects to 1.4 m and 9.5 m respectively; and
- b) ensure the 10 year shelf life applies to all Schedule B and C projects completed after September 6th, 2007;

MEA will issue a clarification which explains pumping stations are located throughout a collection system and that the headworks of a Sewage Treatment Plant should not be considered a pumping station.

See attached minor amendment and clarification.

October 1st, 2008

Director of Environmental Assessment and Approvals Branch
Ministry of the Environment
2 St. Clair Avenue West, Floor 12A
Toronto, ON
M4V 1L5

RE: Municipal Class EA Minor Amendment

Dear Director:

MEA has now completed the 2007 Monitoring Report and has identified the need for a minor amendment to address two issues:

- 1) Adjust Cost Limits - The Project Schedule Tables, which begin on Page I-4, set cost limits of 2.2m and 8.7m. The Class EA also states "*the MEA Monitoring committee will review these costs on an annual basis and any change will be subject to a minor amendment*". The attached Tender Price Index, produced by MTO, shows that the average annual increase for the past year has been 10.24%. MEA hereby requests a minor amendment to increase the cost limits, in the schedules, from 2.2m to 2.4m and 8.7m to 9.5m;
- 2) Shelf Life - During the preparation of the 2007 Municipal Class EA, it was intended that the Lapse of Time limits, for all Schedule B and C Projects, should be consistent. MEA hereby requests a minor amendment to:

Revise Section A.4.1.1 Revisions to Schedule B projects to read:
"Similarly, if the period of time from (i) filing of the Notice of Completion of ESR in the public record or (ii) the MOE's denial of a Part II Order request(s), to the proposed commencement of construction for the project exceeds ten (10) years, the proponent shall review the planning and design process and the current environmental setting to ensure that the project and the mitigating measures are still valid given the current planning context."

We ask for your approval of these two minor amendments to the Municipal Class EA.

Yours truly

Paul Knowles, Chair, Municipal Engineers Association
Monitoring Committee
613-257-6207

CLARIFICATION PUMPING STATIONS vs SEWAGE TREATMENT PLANTS

Pumping Stations are sewage works located throughout the collection system that pump the sewage from a low area directly to a Sewage Treatment Plant or up into a gravity sewer so it can continue flowing to the Sewage Treatment Plant. They are generally comprised of a wet well, pumps and a forcemain and are often located in residential areas. The Municipal Class EA Project Schedules set out criteria to classify pumping stations, specifically;

Schedule A (2) - Increase pumping station capacity by adding or replacing equipment where new equipment is located within an existing building or structure and where the existing rated capacity is not exceeded;

Schedule A+ (3) - Increase pumping station capacity by adding or replacing equipment and appurtenances, where new equipment is located in an existing building or structure and where its existing rated capacity is exceeded;

Schedule B (8) - Construct new pumping station or increase pumping station capacity by adding or replacing equipment and appurtenances, where new equipment is located in a new building or structure; and

Schedule C - NA

Sewage Treatment Plants are located at the end of the sewage collection system where they treat the sewage before discharge to the environment. They are generally located in an isolated area with a buffer to sensitive land uses. Sewage Treatment Plants are generally comprised of:

headworks - where the sewage is lifted, screened and grit removed;

clarifiers - tanks where solids in the sewage are settled and removed;

Aeration tanks - tanks where air is added for the biological stabilization of organic matter;

solid handling system - where solids, from sewage, are collected, dewatered, stabilized and then released into the environment;

disinfection - where final effluent is treated before discharge; and

outfall - pipe/conduit that discharges treated effluent to the environment.

The Municipal Class EA Project Schedules set out criteria to classify Sewage Treatment Plants, specifically:

Schedule A (3) - Expand/refurbish/upgrade sewage treatment plant including outfall up to existing rated capacity where no land acquisition is required;

Schedule A (9) - Increase sewage treatment plant capacity beyond existing rate capacity through improvements to operations and maintenance activities only, but without construction of works to expand, modify or retrofit the plant or the outfall to the receiving the water body, with no increase to total mass loading to receiving water body as identified in the Certificate of Approval.

Schedule A+ - NA

Schedule B (10) - Expand sewage treatment plant, including relocation or replacement of outfall to receiving water body, up to existing rated capacity where new land acquisition is required;

Schedule B (11) - Increase sewage treatment plant capacity beyond existing rated capacity through improvements to operations and maintenance activities only but without construction of works to expand, modify or retrofit the plant or the outfall to the receiving water body where there is an increase to total mass loading to the receiving water body as identified in the Certificate of Approval; and

Schedule C (2) - Construct new sewage treatment plant or expand existing sewage treatment plant beyond existing rated capacity including outfall to receiving water body.

A Sewage Treatment Plant includes all components of both the liquid and solid treatment process and, although the individual components may not be separately identified, the criteria, established in the Class EA Project Schedules, are designed to apply to all components of the Sewage Treatment Plant. Works, at the Sewage Treatment Plants, must be planned following the appropriate Project Schedule for Sewage Treatment Plants whether the work involves several components of the plant or just a single component.

MOE advised that the Ministry is currently clearing a backlog of Part II Order Requests and plans to be more timely with responses in the future.