

Stormwater - Innovative Technologies Environmental Compliance Approval (ECA)

To assist Showcasing Water Innovation projects to meet deadlines set out in funding contracts, the ministry collaborated on a streamlined approvals process to facilitate these innovative projects. This page provides an overview of the Environmental Compliance Approval (ECA) process for innovative stormwater technology projects.

1.0 Innovative Technology Approvals

The Ministry of the Environment and Climate Change regularly issues ECAs for new/innovative technologies. Typical scenarios in which the ministry may issue approvals for innovative or new technologies include pilot testing a technology at a site or many sites, or permanently installing a new/innovative technology at a site.

2.0 The ECA Process for Innovative Technologies

The need for, and nature of, an approval depends on the site and the activity. For example, under the Ontario Regulation 525/98 Approval Exemptions, stormwater works can be exempted from requiring an ECA if all applicable conditions are met. More specifically, an ECA may not be required if the works is:

- 1) designed to service one lot or parcel of land; AND
- 2) discharging into a storm sewer that is not a combined sewer; AND
- 3) not servicing industrial land or a structure located on industrial land; AND
- 4) not located on industrial land.

If unsure about the exemption of your stormwater works, a pre-consultation meeting with the ministry is recommended.

The following are a series of steps that may be undertaken to obtain an ECA for a new/innovative stormwater technology.

Step 1: Determine where the technology will be used:

ECAs are site specific, which means the approval is granted for the use of the technology at a site – a blanket approval is not given for a technology. However, if an approval is sought to pilot test or demonstrate a technology at many sites, a multi-site approval can be issued with the condition that the ministry is notified prior to beginning each pilot test or demonstration.

Step 2: Pre-submission meeting:

Proponents with proposals involving innovative technologies are strongly encouraged to meet with the ministry to discuss their proposed ECA application.

The meeting is an opportunity to clarify if an ECA is needed and application requirements, and a chance to provide information that will support the application.

You can request a pre-submission meeting by contacting the Environmental Approvals Access and Service Integration Branch (EAASIBGen@ontario.ca). You will be asked to complete a pre-submission consultation form that provides information the ministry needs to prepare for the consultation. Pertinent information may include:

- A description of the technology that includes enough information so it is not a “black box” in the eyes of ministry review engineers. Mark proprietary information as “proprietary business information not to be shared outside of the pre-consultation meeting and ECA application process”.
- An explanation of how the technology is new/innovative. The ministry will use this to determine if an expedited approval is warranted.
- The location and description of the site where the technology will be installed (e.g. drainage area, land use type, percent imperviousness), and where the effluent of the technology will be discharged. If the site is not owned by you (e.g. at a municipal stormwater management pond, or a municipal right-of-way), include the contact information for the site owner. The owner should be included in the pre-consultation because an amendment to their ECA may be required.
- A plan for who will be responsible for operations and maintenance, if assumption or change in ownership is to take place.
- A plan for the proposed installation of the technology that includes the time frame, where it will be located on the site, and a monitoring plan. The monitoring plan should evaluate the effectiveness of the technology and the impact of Ontario’s seasons (if the technology is impacted by seasonal variations).
- Questions you wish the ministry to address at the pre-consultation meeting.

Step 3: Prepare the Application

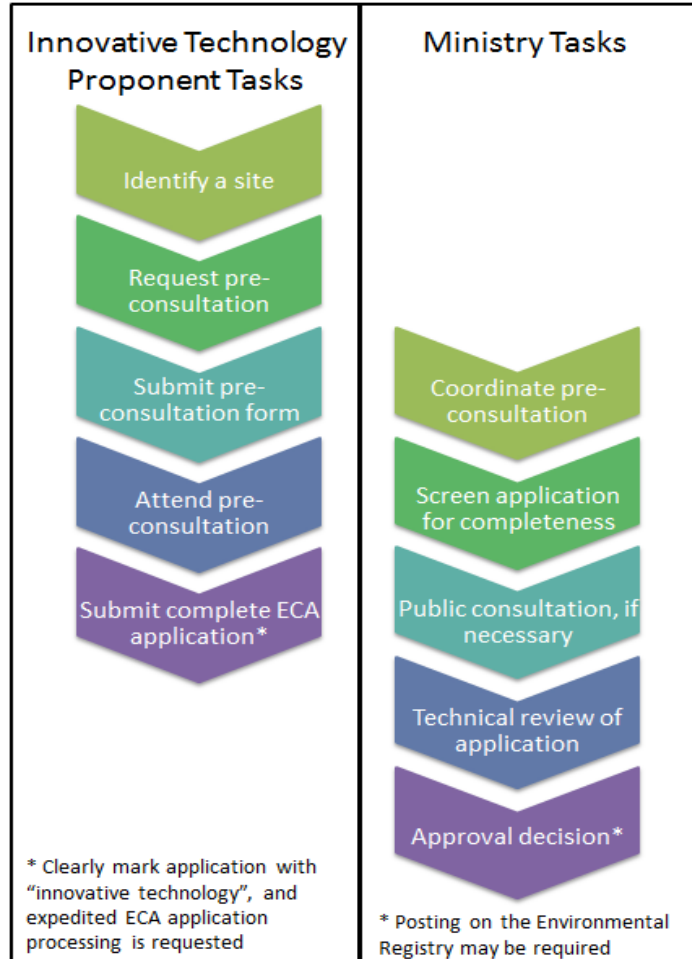
It is very important that your application is complete before you submit it. ECA applications cannot be reviewed until a screening level review confirms that all required information is provided. *Submitting incomplete applications will slow the approval process or result in your application being returned.* Review and follow the Guide to Applying for Environmental Compliance Approvals to make sure all information is included in the application. It is a good practice to review the application form and guidance document before the pre-consultation meeting so ministry staff can answer your questions about the application form.

Step 4: Submit the Application

At the top of the ECA application and in a covering letter accompanying the application, clearly identify that the application is for an innovative technology and expedited ECA application processing is requested. Refer to ministry guidance to determine the fee that must be submitted with the application. Applications with the required fees are submitted to:

Environmental Approvals Access and Service Integration Branch
135 St. Clair Ave. West, 1st Floor
Toronto, Ontario M4V 1P5
Email: EAASIBGen@ontario.ca
Telephone: Outside Toronto 1-800-461-6290; or in Toronto 416-314-8001

Steps taken in the ECA process by the Technology Proponent and the Ministry of Environment and Climate Change



Resources

Information on ECAs including the application guide and form is available at:

<http://www.ontario.ca/page/environmental-approvals>