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Ontario MOE Compliance Assistance Initiatives

**A Presentation to the
7th Canadian Pollution Prevention Roundtable**

June 11, 2003

Outline of Presentation

- Context: the new “Innovations Agenda”
- The MOE’s current Compliance Assistance Model
- Two C.A. Pilot Projects
- Lessons we’re learning

Context - “Innovations Agenda”

- *Managing the Environment* Report (2001)
 - recommends more strategic approach to managing the environment
- New Ontario Public Service Innovations Framework (2002)
 - senior management vision for improved knowledge management, cluster-based approach to policy and planning
- Inter-ministerial Inspection, Investigation & Enforcement Secretariat (2001)
 - greater coherence in regulatory strategies

Context - New Strategies

From a Traditional Regulator

- A primary emphasis on ensuring compliance for large sources
- A primary reliance on traditional tools
- Reliance on government to do it all

Towards a more strategic approach

- Broader emphasis on continuous improvement & accountability across all sources of pollution
- A comprehensive set of regulatory and non-regulatory tools
- Shared responsibility

Integrated Compliance Assurance

- MOE is moving towards an integrated approach to **compliance assurance**
 - Combines existing tough and effective enforcement with innovative new approaches
 - Emphasizes continuous improvement in environmental performance
- MOE is testing elements of such an approach through a series of pilot projects:
 - Cooperative Agreement Pilot Projects
 - Compliance Assistance Pilot Projects

Compliance Assistance

Objectives:

- Significantly improve compliance rates
- Encourage continuous improvement
- Demonstrate measurable results
- Complement SWAT activities

The onus for compliance remains with the facilities

Compliance Assistance - The Model

- Projects established through negotiated agreements with industry associations
- Associations are responsible for project delivery
- MOE provides oversight, initial financial support, access to expertise, and public endorsement
- 3-year time frame to financial self-sufficiency

Compliance Assistance Pilot Projects

- In May 2002, MOE established two pilot projects:
 - The **Metal Finishing CA Pilot**, through an agreement with the Canadian Association of Metal Finishers
 - The **Autobody Refinishing CA Pilot**, through an agreement with the Collision Industry Action Group
- These pilots each contain many similar features, but are not identical

Metal Finishing in Ontario

- 650 metal finishers in Ontario (10% CAMF members)
- Metal Finishing P2 MOU since 1993
 - by 2003, 27 companies; 58 case studies; almost 2,580 tonnes of waste reduced/eliminated
- SWAT audit (2001) revealed 85% non-compliance
 - fail to obtain / non-compliance with Certificates of Approval (Air)
 - improper storage of wastes
 - lack of spill containment equipment

Metal Finishing C.A. Pilot

Key Targets:

- Support CAMF to assist MF facilities to achieve full compliance with provincial environmental laws and regulations
- 60 MF facilities to build capacity to go beyond compliance, by adopting a facility-wide P2 plan and/or environmental management systems within 3 years

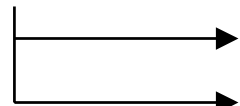
Metal Finishing C.A. Pilot

Year 1

hotline

helpdesk

plain language laws



Year 2

web site

guidebook

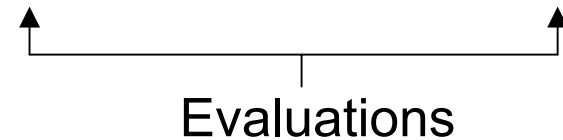
survey → marketing

training

facility audits

ranking program

Year 3



Autobody Refinishing in Ontario

- Approximately 2,800 facilities in Ontario
- Mostly small and medium-sized facilities
- Profitability workshops since 1996
 - strong desire for level playing field - e.g. many underground / back-yard painters
- On-going SWAT audit revealing 97% non-compliance
 - similar issues to the Metal Finishing Sector

Autobody Refinishing C.A. Pilot

Key Targets:

- To test the use of new online environmental management and reporting tools
- Support CIAG to assist facilities to significantly raise sector compliance rates

Autobody Refinishing C.A. Pilot

Year 1

Phase 1

test Oxegen online EMS system
at 15 facilities

“hands on” assistance &
assessment at 25 facilities

solvent database

plain language laws

Year 2

Phase 2 (entire sector)

marketing

web site

solvent database
(expansion)

Year 3

Also: New training
requirement in
C of A conditions

Evaluation

For both C.A. Pilots...

Evaluation:

- SWAT to re-inspect sectors, with improve compliance characterization
- Pre- and post-surveys to gauge attitude shifts
- Participation rates
- Audit and ranking program results
- CAMF and CIAG membership

Lessons to Date

- There is a large demand for plain language laws, emission reporting tools and calculators
- There is a strong desire for quick solutions with minimum resource investment
- Despite the desire for improved information, education and awareness alone are not enough (external and internal drivers and capacity builders)
- Total financial self-sufficiency may not be possible

Future

- Improved knowledge of sector, e.g.
 - capacity of delivery agent - dedicated staff and resources, champion, established market reach
 - sector characteristics: size, organization, presence / diversity of sub-sectors, economic climate, barriers to non-performance

will allow for:

- selection of more appropriate C.A. candidates
- more specific target setting
- more tailored marketing, delivery options
- better selection of appropriate mix of tools

For further information

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- **EBR posting for pilot details**
 - <http://www.ene.gov.on.ca/envregistry/017381ep.htm>
- ***Managing the Environment* Report**
 - <http://www.ene.gov.on.ca/envision/ergreport/index.htm>