



Wednesday, 14 July 2010

## Oakville By-Law 2010-035 Information Sheet

### What is Oakville By-Law 2010-035?

Oakville By-Law 2010-035 is a By-Law passed by the Town of Oakville (the Town) in February 2010 to regulate emissions of fine particulate matter (FPM or PM 2.5) from sources in the Town. FPM refers particles less than 2.5 microns in diameter. FPM is an airborne pollutant that can adversely affect human health. The By-Law seeks to limit the emissions of both FPM and its precursor pollutants (pollutants that can react in the atmosphere to form FPM). Most emitters of FPM and precursor pollutants are obligated to report their pollutant sources, and submit worst-case estimates of daily and yearly emissions to the Town in writing. Major emitters are required to seek a Town Approval, in addition to reporting. **Failure to meet the requirements of the By-Law may result in fines of up to \$100,000 for a first offence.**

### Who does the by-law apply to?

Any facility under common management that may emit a 'health-risk air pollutant' (FPM or a precursor pollutant), including natural gas combustion products (such as HVAC units) or solvent vapours, which is of a size over a certain threshold. For residential properties, the threshold is 25 dwellings on site, and for commercial, institutional, and business related sites, the threshold is a site size of 0.1 ha (approximately a quarter of an acre).

### What do I need to do to comply?

If your facility meets the thresholds above, you must determine if your emissions require further action, or if emissions can be considered negligible. Negligible emissions include facility wide emissions of less than 1 kg of FPM per year, or for precursor pollutants, emissions of less than 10 kg per year. Emissions of fine particulate matter and precursor pollutants can occur from the combustion of natural gas or other fossil fuels, or from the evaporation of solvent based products.

If your facility uses more than 6,300 cubic meters of natural gas or uses more than 10 kg (about 12 litres) of solvent based products annually, your facility can potentially produce reportable (non-negligible) emissions.

If your emissions are not negligible, you are to submit a written summary of sources and emissions to the Town, and if your emissions are considered a major source, you will be required to apply for a Town Approval. Generally, only industrial sources could produce emissions large enough to be considered major.

In addition to the above, if this by-law applies to your facility, it is also likely that you may need a provincially issued Certificate of Approval (Air) to comply with Section 9 of the Environmental Protection Act, if you do not have one already.

**When do I need to comply by?**

For proposed facilities, the requirements of the by-law apply immediately (as of February 10, 2010). For existing facilities, the Town has specified a phase in schedule that will determine when facilities must demonstrate compliance with the by-law. This phase in schedule is summarized below:

| Does the facility have an approval under section 9 of the EPA from the Ministry of the Environment? | Facility is a Major Emitter                |                                  | Facility is not a Major Emitter            |
|---|--|----------------------------------|--|
|   | Prepare and submit one-time report to Town | Required to Obtain Town Approval | Prepare and submit one-time report to Town |
| YES   | August 1, 2010                             | February 1, 2011                 | February 1, 2011                           |
| NO  | February 1, 2011*                          | February 1, 2012*                | February 1, 2012*                          |

\*The by-law specifies the by-law will apply at a date 'not less' than the date listed

Note: The Town has amended the original reporting deadline for facilities with a section 9 approval to February 1, 2011 from the previously specified date of August 1, 2010.

**What can Spectrum Environmental do for you?**

Spectrum Environmental is here to help you determine your requirements under this new By-Law. We have the technical expertise required to estimate the quantities of 'health-risk air pollutants' released by your facility. We can determine if these emissions are negligible, or if they must be reported to the Town, and prepare the appropriate documents. Our services are available at a competitive rate.

If you have any questions about the above, or would like more information, please feel free to contact us by phone at 905-842-6411, by e-mail at [spectrum@chaltis.ca](mailto:spectrum@chaltis.ca), or by leaving a comment on our website, <http://www.spectrumenvironmental.ca>.

We look forward to hearing from you.

Sincerely,

SPECTRUM ENVIRONMENTAL DIVISION OF CHALTIS TECHNOLOGIES LTD

Per



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Environmental Chemist