

Monday, February 28, 2022

Ian Drew
Senior Policy Advisor
Resource Recovery Policy Branch
40 St. Clair Avenue West
8th floor
Toronto, ON M4V 1M2

Dear Mr. Drew,

RE: Environmental assessment requirements for advanced recycling facilities under the Environmental Assessment Act (EAA) - ERO 019-4867

Thank you for the opportunity to provide feedback on the proposed changes to the Environmental Assessment (EA) requirements for advanced recycling facilities under the Environmental Assessment Act (EAA). The City of Guelph (the City) encourages the Ministry of the Environment, Conservation and Parks (MECP) to consider the City's feedback and feedback from other municipalities and municipal waste organizations.

The City's comments on amendments to the proposed Advanced Recycling EA requirements are as follows:

Relevant Terminology

- The City supports the development of new regulatory terminology related to thermal technology to include applications that recover materials for beneficial reuse.
- Further clarification is required as to what qualifies as a "demonstrated market demand" for non-fuel recovered material from an Advanced Recycling Facility.
- Clarification is recommended to consistently use clear terms when referencing energy and types of energy. The terms "thermal energy" and "electrical energy" should be used instead of "heat", "energy", and "energy (electricity)".

Establishing an Advanced Recycling Site

- The City supports the inclusion of a tiered recovery rate to take into consideration the inherent environmental benefits of this type of facility when determining the EA requirements. The City is not in a position to comment on the appropriateness of the chosen 80% threshold and suggests the MECP consider input from responding technology providers.

- The City suggests that further definition be provided as to where in an overall process the waste input to a thermal technology is determined. Both existing and new facilities could consider the inclusion of thermal technology as part of a larger waste management process. An example would be adding or including a thermal treatment process to the back end of an anaerobic digestion facility for the purpose of managing digestate and generating fuel (renewable natural gas or hydrogen), and a soil amendment. Without thermal treatment, such a facility could receive over 1,000 tonnes per day of incoming waste without needing an EA, as presumably the amount of residual waste would be lower than 1,000 tonnes per day. However, the inclusion of a thermal treatment technology could trigger an EA for an Advanced Recycling Facility. In this example, we'd appreciate clarity on whether the amount of waste thermally treated is based on the incoming waste to the site, or on the digestate entering the thermal treatment process.
- Further clarification is needed under the definition of Advanced Recycling to confirm how the "primary purpose" is established. To this end, the City also suggests that a lower limit be included for the recovery of recyclable materials to ensure that facilities intending to qualify as "Advanced Recycling" instead of "Disposal – Non EFW" must demonstrate a minimum recovery.
- Further clarification is needed to determine the EA requirements if a site were to implement thermal treatment for both EFW and Advanced Recycling. It is clear if an Advanced Recycling Facility also generates electricity and that electricity is wholly used on site, either for managing waste or for other purpose, the facility must follow the EA requirements for Advanced Recycling. However, it is unclear which requirements a facility would be subject to if it did not use all the electricity on site.

Calculating the Recovery Rate

- Further clarification is needed to confirm what constitutes "pre-processing" for the purposes of establishing the mass of waste processed (the example provided is for removal of steel from tires). However, many waste types may require dewatering and/or drying prior to thermal treatment. The proposed regulation could be strengthened by clarifying whether the material removed during pre-processing is limited to recyclables.
- Management of moisture will have a significant effect on the mass of waste input compared to the mass of recovered material. However, the moisture from waste is often not recovered for reuse but treated or pre-treated and either discharged to surface water or to a municipal sanitary sewer, which is not an inherent environmental benefit.

Changes to Advanced Recycling Sites

- The first bullet indicates that changing a thermal treatment site that is not engaged in advanced recycling, to a site engaged in advanced recycling, may require an EA per the proposed thresholds. The City suggests clarifying whether or not an EA would be required to make the change if one had previously been completed for the site. For example, transitioning from a waste disposal (non-EFW) site to an advanced recycling site with >80% recovery. The original facility would presumably have needed a CEA and the change would be considered an environmental benefit given the proposed recovery of material. The regulation should clarify whether this type of change would require a new CEA based on the thresholds proposed in the draft regulation.

Thank you again for the opportunity to provide technical input on this proposed new regulation. We look forward to continuing to work collaboratively with the province to sustain our future.

Sincerely,

Jennifer Rose, General Manager

Environmental Services, **Infrastructure, Development and Enterprise**

Location: 1 Carden Street, Guelph, ON N1H 3A1

T 519-822-1260 extension 3599

TTY 519-826-9771

E jennifer.rose@guelph.ca

guelph.ca