



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2012-066

A by-law to amend By-law 2010-035, a by-law to assess and control the health effects of major emissions of fine particulate matter in the Town of Oakville.

COUNCIL ENACTS AS FOLLOWS:

1. By-law 2010-035, as amended by By-law 2010-187, is hereby further amended by deleting s. 19(2)(a)(iii).
2. By-law 2010-035 is further amended by inserting new section 6.1 as follows:

“Existing Facilities – Major Emission Reduction Strategy

- 6.1
- (1) For the purposes of this by-law, “major emission reduction strategy” means a strategy for reducing the emission of health-risk air pollutants by a facility in Oakville in order that the facility does not cause a major emission to the air after December 31, 2012, as indicated pursuant to the National Pollutant Release Inventory.
 - (2) Where a person owns or operates a facility in Oakville that causes a major emission to the air, that person may, as an alternative to obtaining a facility-specific approval of its air emissions pursuant to section 6, submit to the Town a major emission reduction strategy.
 - (3) The submission of a major emission reduction strategy shall include payment of the prescribed fee and the following information:
 - (a) facility description: a description of the facility, including all sources of emissions that may contribute to a major emission, the average and worst-case rates of daily and annual emissions during operations, and the operating conditions that give rise to average and worst-case

emissions; and,

- (b) implementation plan: a detailed description of the steps and measures to be taken to reduce the emission of health-risk air pollutants by the facility in order that the facility does not cause a major emission to the air after December 31, 2012, as indicated pursuant to the National Pollutant Release Inventory.
- (4) Persons who have submitted a major emission reduction strategy pursuant to this section shall provide an interim report regarding the status of implementation of the strategy to the Town on or before June 30, 2013, which report shall include information regarding emissions from the facility in 2012, as indicated pursuant to the National Pollutant Release Inventory.
- (5) Persons who have submitted a major emission reduction strategy pursuant to this section shall provide a final report regarding the results of the strategy to the Town on or before June 30, 2014, which report shall include information regarding emissions from the facility in 2013, as indicated pursuant to the National Pollutant Release Inventory.
- (6) The fee prescribed for submission of a major emission reduction strategy is \$25,000, paid by certified cheque, and payable to The Corporation of the Town of Oakville.
- (7) The fee prescribed in subsection (6) includes \$5,000 for administration. In the event that the major emission reduction strategy as implemented reduces the emission of health-risk air pollutants by the facility in order that the facility does not cause a major emission to the air after December 31, 2012, as indicated pursuant to the National Pollutant Release Inventory, and as reported in the final report pursuant to subsection (5), \$20,000 of the fee prescribed in subsection (6) shall be reimbursed to the applicant.
- (8) Where, notwithstanding implementation of the major emission reduction strategy, the facility does cause a major emission to the air after December 31, 2012, as indicated pursuant to the National Pollutant Release Inventory, a person who owns or operates the facility shall forthwith obtain a facility-specific

approval of its air emissions pursuant to section 6 of this by-law.

- (9) In the event that a facility-specific approval of air emissions is required pursuant to subsection (8), no additional fee shall be required for such application, however, \$20,000 of the fee prescribed in subsection (6) shall be applied by the Town to carry out the peer review of such application pursuant to sections 7, 8 and 9 of this by-law.
- (10) Where the prescribed fee is applied by the Town pursuant to subsection (9), but the actual cost incurred by the Town is less than this fee, the Town may return such portion of the prescribed fee as it determines appropriate.”

3. Section 2 of this By-law shall come into force on September 1, 2012.

PASSED this 9th day of July, 2012

Rob Burton

MAYOR

Cathie L. Best

CLERK