

February 3, 2026

Ontario Society of Professional Engineers Submission on ERO 025-1361 — Exempting Low-Risk Activities from Requiring Environmental Permissions

Submitted to the Environmental Registry of Ontario

The Ontario Society of Professional Engineers (OSPE) appreciates the opportunity to provide feedback on the Ministry of the Environment, Conservation and Parks' (MECP) proposal to amend the Ontario Water Resources Act to exempt low-risk activities from requiring environmental permissions.

OSPE represents the province's engineering community. Ontario's engineers are involved in the design, assessment, and oversight of activities impacted by the proposal including sewage works, waste activities, water taking activities, and air and noise emission. Our comments are provided in the context of ensuring provincial regulatory modernization maintains professional accountability and protects public safety.

OSPE supports efforts to reduce unnecessary regulatory burden where environmental risk is proven to be low. Key recommendations below are suggestions to ensure efficiency supports expertise, environmental protection, drinking water safety, and professional accountability.

Qualified Professional Verification:

Several of the proposed exemptions relate to systems relevant to the work of engineers, including private sewage and stormwater infrastructure. While these activities may be characterized as low-risk, improper design, installation, or operation can result in localized contamination, cumulative impacts, or public health concerns.

OSPE recommends any exemption for sewage works, waste activities, water taking activities, and air and noise emissions require mandatory verification from a Professional Engineer to confirm activities meet accepted engineering standards and do not pose unintended risks.

This approach preserves regulatory efficiency and manages risk with the judgement and accountability of professional engineers.

Clear Definitions and Thresholds:

The term low-risk should be accompanied by clear, evidence-based criteria informed by current engineering and environmental standards. Ambiguous definitions create uncertainty for proponents, increasing the likelihood of unintended environmental impacts.

OSPE recommends exemptions be decided by clearly defined thresholds, like system capacity, discharge characteristics, or proximity to sensitive receptors to support consistent interpretation by engineers and regulators.

Professional Accountability and Reporting:

Where activities are exempted from formal Environmental Compliance Approvals (ECAs) or Permits to Take Water (PTTWs), OSPE encourages the Ministry to include mechanisms for reporting and accountability.

This could include requiring proponents to:

- Document compliance with applicable standards;
- Retain design and verification records prepared by a qualified professional; and
- Make documentation available to the Ministry upon request.

These measures support compliance, effective oversight, and professional responsibility.

Protection of Drinking Water and Sensitive Receptors:

Even activities categorized as low-risk in isolation should be subject to engineering oversight when located near drinking water sources, vulnerable aquifers, or ecologically sensitive areas.

OSPE recommends exemptions preserve enhanced oversight where activities and discharges may include chemicals of emerging concern (i.e. pharmaceuticals,

antimicrobials, personal care products and endocrine disrupting chemicals) that could affect sources of drinking water or vulnerable ecosystems.

Conclusion

OSPE supports regulatory modernization to align an activity's environmental permission requirements with its demonstrated environmental risk. Exemptions must be accompanied by professional accountability and evidence-based criteria to preserve the safety of the public and environment. Reducing regulatory burden should not diminish professional oversight or reliance on engineering judgement.

Sincerely,

A handwritten signature in black ink, appearing to be 'D. Carnegie', with a stylized, cursive script.

David Carnegie, P.Eng., MBA
President and Chair
Ontario Society of Professional Engineers

A handwritten signature in black ink, clearly legible as 'Sandro Perruzza', written in a cursive style.

Sandro Perruzza
Chief Executive Officer
Ontario Society of Professional Engineers

Discussion Questions:

1. Should the ministry require verification by a qualified professional that the sewage works has been adequately designed?

OSPE supports requiring verification from a licensed Professional Engineer to ensure systems meet accepted standards and do not pose unintended environmental or public health risks.

2. Are there other sewage works that do not discharge directly or indirectly to land, surface water or groundwater, such as those at mining operations, that should or should not be included in this proposed exemption?

OSPE recommends that inclusion in the proposed exemption be decided on risk-based criteria and require professional verification, including systems associated with industrial or resource operations.

3. Are there any air and noise emissions from additional activities that the ministry should consider for an exemption and why?

Any consideration of additional exemptions should be supported by technical evidence demonstrating minimal cumulative impact and compliance with applicable standards.