

ENVIRONMENTAL COMPLIANCE APPROVAL
NUMBER 5317-BCTP4G
Issue Date: June 20, 2019

Soprema Inc.
5255 rue Robert-Boyd
Sherbrooke, Quebec
J1R 0W8

Site Location: 1620 Commerce Way
Woodstock City, County of Oxford

You have applied under section 20.2 of Part II.1 of the Environmental Protection Act, R.S.O. 1990, c. E. 19 (Environmental Protection Act) for approval of:

Description Section

A bitumen membrane waterproofing products manufacturing facility, consisting of the following processes and support units:

- raw material storage;
- pre-mix, grinding, and mixing;
- coating and cooling;
- granular application;

including the *Equipment* and any other ancillary and support processes and activities, operating at a *Facility Production Limit* of up to:

- **15 tonnes per hour maximum processing capacity;**

discharging to the air as described in the *Original ESDM Report*.

For the purpose of this environmental compliance approval, the following definitions apply:

1. "*ACB list*" means the document entitled "Air Contaminants Benchmarks (ACB) List: Standards, guidelines and screening levels for assessing point of impingement concentrations of air contaminants", as amended from time to time and published by the *Ministry* and available on a Government website;

2. "*Acceptable Point of Impingement Concentration*" means a concentration accepted by the *Ministry* as not likely to cause an adverse effect for a *Compound of Concern* that,
 - a. is not identified in the *ACB list*, or
 - b. is identified in the *ACB list* as belonging to the category "Benchmark 2" and has a concentration at a *Point of Impingement* that exceeds the concentration set out for the contaminant in that document.
With respect to the *Original ESDM Report*, the *Acceptable Point of Impingement Concentration* for a *Compound of Concern* mentioned above is the concentration set out in the *Original ESDM Report*;
3. "*Acoustic Assessment Report*" means the report, prepared in accordance with *Publication NPC-233* and Appendix A of the *Basic Comprehensive User Guide*, by Anthony Amarra / Valcoustics Canada Ltd. and dated January 30, 2019 submitted in support of the application, that documents all sources of noise emissions and *Noise Control Measures* present at the *Facility*, as updated in accordance with Condition 5 of this *Approval*;
4. "*Acoustic Assessment Summary Table*" means a table prepared in accordance with the *Basic Comprehensive User Guide* summarising the results of the *Acoustic Assessment Report*, as updated in accordance with Condition 5 of this *Approval*;
5. "*AERMOD*" means the dispersion model developed by the American Meteorological Society/U.S. Environmental Protection Agency Regulatory Model Improvement Committee (AERMIC) including the PRIME (Plume Rise Model Enhancement) algorithm;
6. "*Approval*" means this entire Environmental Compliance Approval and any *Schedules* to it;
7. "*Basic Comprehensive User Guide*" means the *Ministry* document titled "Basic Comprehensive Certificates of Approval (Air) User Guide" dated March 2011, as amended;
8. "*Best Management Practices Plan*" means the document titled "Fugitive Odour Best Management Practices Plan", dated April 1, 2019 and prepared by GHD;
9. "*Company*" means Soprema Inc. that is responsible for the construction or operation of the *Facility* and includes any successors and assigns in accordance with section 19 of the *EPA*;
10. "*Compound of Concern*" means a contaminant described in paragraph 4 subsection 26 (1) of *O. Reg. 419/05*, namely, a contaminant that is discharged from the *Facility* in an amount that is not negligible;
11. "*Date of Commissioning*" means the first day on which the *Company* begins to use

raw materials at the *Facility* for the purpose of testing the functionality of the *Equipment*;

12. "*Description Section*" means the section on page one of this *Approval* describing the *Company's* operations and the *Equipment* located at the *Facility* and specifying the *Facility Production Limit* for the *Facility*;
13. "*Director*" means a person appointed for the purpose of section 20.3 of the *EPA* by the *Minister* pursuant to section 5 of the *EPA*;
14. "*District Manager*" means the District Manager of the appropriate local district office of the *Ministry*, where the *Facility* is geographically located;
15. "*Emission Summary Table*" means a table described in paragraph 14 of subsection 26 (1) of *O. Reg. 419/05*;
16. "*Environmental Assessment Act*" means the Environmental Assessment Act, R.S.O. 1990, c.E.18, as amended;
17. "*EPA*" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;
18. "*Equipment*" means equipment or processes described in the *ESDM Report*, this *Approval* and in the *Schedules* referred to herein and any other equipment or processes;
19. "*Equipment with Specific Operational Limits*" means any *Equipment* related to the thermal oxidation of waste or waste derived fuels, fume incinerators or any other *Equipment* that is specifically referenced in any published *Ministry* document that outlines specific operational guidance that must be considered by the *Director* in issuing an *Approval*;
20. "*ESDM Report*" means the most current Emission Summary and Dispersion Modelling Report that describes the *Facility*. The *ESDM Report* is based on the *Original ESDM Report* and is updated after the issuance of this *Approval* in accordance with section 26 of *O. Reg. 419/05* and the *Procedure Document*;
21. "*Facility*" means the entire operation located on the property where the *Equipment* is located;
22. "*Facility Production Limit*" means the production limit placed by the *Director* on the main product(s) or raw materials used by the *Facility*;
23. "*Licensed Engineering Practitioner*" has the same meaning as in Ontario Regulation 1/17;
24. "*Log*" means a document that contains a record of each change that is required to be made to the *ESDM Report* and *Acoustic Assessment Report*, including the date on which the change occurred. For example, a record would have to be made of a more accurate emission rate for a source of contaminant, more accurate

meteorological data, a more accurate value of a parameter that is related to a source of contaminant, a change to a *Point of Impingement* and all changes to information associated with a *Modification* to the *Facility* that satisfies Condition 2;

25. "*Manager*" means the Manager, Technology Standards Section, Technical Assessment and Standards Development Branch, who has been appointed under section 5 of the *EPA* for the purposes of the section 11(1)2 of *O. Reg. 419/05*, or any other person who represents and carries out the duties of the Manager, Technology Standards Section, Technical Assessment and Standards Development Branch, as those duties relate to the conditions of this *Approval*;
26. "*Minister*" means the Minister of the Environment, Conservation and Parks or such other member of the Executive Council as may be assigned the administration of the *EPA* under the Executive Council Act;
27. "*Ministry*" means the ministry of the *Minister*;
28. "*Modification*" means any construction, alteration, extension or replacement of any plant, structure, equipment, apparatus, mechanism or thing, or alteration of a process or rate of production at the *Facility* that may discharge or alter the rate or manner of discharge of a *Compound of Concern* to the air or discharge or alter noise or vibration emissions from the *Facility*;
29. "*Noise Control Measures*" means measures to reduce the noise emissions from the *Facility* and/or *Equipment* including, but not limited to, silencers, acoustic louvres, enclosures, absorptive treatment, plenums and barriers;
30. "*Odour Abatement Plan*" means an odour abatement program which specifies measures to mitigate odour impacts of the *Facility* on *Sensitive Receptors*;
31. "*O. Reg. 419/05*" means Ontario Regulation 419/05, Air Pollution – Local Air Quality, as amended;
32. "*Original ESDM Report*" means the Emission Summary and Dispersion Modelling Report which was prepared in accordance with section 26 of *O. Reg. 419/05* and the *Procedure Document* by Matthew Griffin / GHD and dated December 10, 2018 submitted in support of the application, and includes any changes to the report made up to the date of issuance of this *Approval*;
33. "*Point of Impingement*" has the same meaning as in section 2 of *O. Reg. 419/05*;
34. "*Point of Reception*" means Point of Reception as defined by *Publication NPC-300*;
35. "*Pre-test Plan*" means a plan for the *Source Testing* including the information required in Section 5 of the *Source Testing Code*;
36. "*Procedure Document*" means *Ministry* guidance document titled "Procedure for Preparing an Emission Summary and Dispersion Modelling Report" dated

February 2017, as amended;

37. "*Processes with Significant Environmental Aspects*" means the *Equipment* which, during regular operation, would discharge one or more contaminants into the air in an amount which is not considered as negligible in accordance with section 26 (1) 4 of *O. Reg. 419/05* and the *Procedure Document*;
38. "*Publication NPC-207*" means the *Ministry* draft technical publication "Impulse Vibration in Residential Buildings", November 1983, supplementing the Model Municipal Noise Control By-Law, Final Report, published by the *Ministry*, August 1978, as amended;
39. "*Publication NPC-233*" means the *Ministry* Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October, 1995, as amended;
40. "*Publication NPC-300*" means the *Ministry* Publication NPC-300, "Environmental Noise Guideline, Stationary and Transportation Sources – Approval and Planning, Publication NPC-300", August 2013, as amended;
41. "*Schedules*" means the following schedules attached to this *Approval* and forming part of this *Approval* namely:
 - Schedule A - Supporting Documentation;
 - Schedule B - *Test Contaminants*; and
 - Schedule C - Source Testing Procedure;
42. "*Sensitive Receptor*" means any location where routine or normal activities occurring at reasonably expected times would experience adverse effect(s) from odour discharges from the *Facility*, including one or a combination of:
 - a. private residences or public facilities where people sleep (e.g.: single and multi-unit dwellings, nursing homes, hospitals, trailer parks, camping grounds, etc.);
 - b. institutional facilities (e.g.: schools, churches, community centres, day care centres, recreational centres, etc.);
 - c. outdoor public recreational areas (e.g.: trailer parks, play grounds, picnic areas, etc.);
 - d. other outdoor public areas where there are continuous human activities (e.g.: commercial plazas and office buildings); and
 - e. other locations as directed by the *District Manager*;
43. "*Source Testing*" means sampling and testing to measure emissions resulting from operating the *Equipment* at a level of **maximum production** within the approved operating range of the *Equipment*;

44. "*Source Testing Code*" means the Ontario Source Testing Code, dated June 2010, prepared by the *Ministry*, as amended;
45. "*Targeted Source*" means the source set out in *Schedule B* of this *Approval*;
46. "*Test Contaminants*" means those contaminants set out in *Schedule B* of this *Approval*;
47. "*Toxicologist*" means a qualified professional currently active in the field of risk assessment and toxicology that has a combination of formal university education, training and experience necessary to assess contaminants; and
48. "*Written Summary Form*" means the electronic questionnaire form, available on the *Ministry* website, and supporting documentation, that documents the activities undertaken at the *Facility* in the previous calendar year.

You are hereby notified that this environmental compliance approval is issued to you subject to the terms and conditions outlined below:

TERMS AND CONDITIONS

1. GENERAL

1. Except as otherwise provided by this *Approval*, the *Facility* shall be designed, developed, built, operated and maintained in accordance with the terms and conditions of this *Approval* and in accordance with the following *Schedules* attached hereto:
 - Schedule A - Supporting Documentation
 - Schedule B - *Test Contaminants*
 - Schedule C - Source Testing Procedure

2. LIMITED OPERATIONAL FLEXIBILITY

1. Pursuant to section 20.6 (1) of the *EPA* and subject to Conditions 2.2 and 2.3 of this *Approval*, future construction, alterations, extensions or replacements are approved in this *Approval* if the future construction, alterations, extensions or replacements are *Modifications* to the *Facility* that:
 - a. are within the scope of the operations of the *Facility* as described in the *Description Section* of this *Approval*;
 - b. do not result in an increase of the *Facility Production Limit* above the level specified in the *Description Section* of this *Approval*; and
 - c. result in compliance with the performance limits as specified in

Condition 4.

2. Condition 2.1 does not apply to,
 - a. the addition of any new *Equipment with Specific Operational Limits* or to the *Modification* of any existing *Equipment with Specific Operational Limits* at the *Facility*; or
 - b. *Modifications* to the *Facility* that would be subject to the *Environmental Assessment Act*.
3. Condition 2.1 of this *Approval* shall expire ten (10) years from the date of this *Approval*, unless this *Approval* is revoked prior to the expiry date. The *Company* may apply for renewal of Condition 2.1 of this *Approval* by including an *ESDM Report* and an *Acoustic Assessment Report* that describes the *Facility* as of the date of the renewal application.

3. REQUIREMENT TO REQUEST AN ACCEPTABLE POINT OF IMPINGEMENT CONCENTRATION

1. Prior to making a *Modification* to the *Facility* that satisfies Condition 2.1.a. and 2.1.b., the *Company* shall prepare a proposed update to the *ESDM Report* to reflect the proposed *Modification*.
2. The *Company* shall request approval of an *Acceptable Point of Impingement Concentration* for a *Compound of Concern* if the *Compound of Concern* is not identified in the *ACB list* as belonging to the category “Benchmark 1” and a proposed update to an *ESDM Report* indicates that one of the following changes with respect to the concentration of the *Compound of Concern* may occur:
 - a. The *Compound of Concern* was not a *Compound of Concern* in the previous version of the *ESDM Report* and
 - i. the concentration of the *Compound of Concern* exceeds the concentration set out for the contaminant in the *ACB list*; or
 - ii. the *Compound of Concern* is not identified in the *ACB list*; or
 - b. The concentration of the *Compound of Concern* in the updated *ESDM Report* exceeds the higher of,
 - i. the most recent *Acceptable Point of Impingement Concentration*, and
 - ii. the concentration set out for the contaminant in the *ACB list*, if the contaminant is identified in that document.
3. The request required by Condition 3.2 shall propose a concentration for the *Compound of Concern* and shall contain an assessment, performed by a

Toxicologist, of the likelihood of the proposed concentration causing an adverse effect at *Points of Impingement*.

4. If the request required by Condition 3.2 is a result of a proposed *Modification* described in Condition 3.1, the *Company* shall submit the request, in writing, to the *Director* at least 30 days prior to commencing to make the *Modification*. The *Director* shall provide written confirmation of receipt of this request to the *Company*.
5. If a request is required to be made under Condition 3.2 in respect of a proposed *Modification* described in Condition 3.1, the *Company* shall not make the *Modification* mentioned in Condition 3.1 unless the request is approved in writing by the *Director*.
6. If the *Director* notifies the *Company* in writing that the *Director* does not approve the request, the *Company* shall,
 - a. revise and resubmit the request; or
 - b. notify the *Director* that it will not be making the *Modification*.
7. The re-submission mentioned in Condition 3.6 shall be deemed a new submission under Condition 3.2.
8. If the *Director* approves the request, the *Company* shall update the *ESDM Report* to reflect the *Modification*.
9. Condition 3 does not apply if Condition 2.1 has expired.

4. **PERFORMANCE LIMITS**

1. Subject to Condition 4.2, the *Company* shall not discharge or cause or permit the discharge of a *Compound of Concern* into the air if,
 - a. the *Compound of Concern* is identified in the *ACB list* as belonging to the category "Benchmark 1" and the discharge results in the concentration at a *Point of Impingement* exceeding the Benchmark 1 concentration; or
 - b. the *Compound of Concern* is not identified in the *ACB list* as belonging to the category "Benchmark 1" and the discharge results in the concentration at a *Point of Impingement* exceeding the higher of,
 - i. if an *Acceptable Point of Impingement Concentration* exists, the most recent *Acceptable Point of Impingement Concentration*, and
 - ii. the concentration set out for the contaminant in the *ACB list*, if the contaminant is identified in that document.
2. Condition 4.1 does not apply if the benchmark set out in the *ACB list* has a 10-minute averaging period and no ambient monitor indicates an exceedance

at a *Point of Impingement* where human activities regularly occur at a time when those activities regularly occur.

3. The *Company* shall ensure that the noise emissions from the *Facility* comply with the limits set out in *Ministry Publication NPC-300*.
4. The *Company* shall ensure that the vibration emissions from the *Facility* comply with the limits set out in *Ministry Publication NPC-207*.
5. The *Company* shall operate any *Equipment with Specific Operational Limits* approved by this *Approval* in accordance with the *Original ESDM Report*.

5. DOCUMENTATION REQUIREMENTS

1. The *Company* shall maintain an up-to-date *Log*.
2. No later than June 30 in each year, the *Company* shall update the *Acoustic Assessment Report* and shall update the *ESDM Report* in accordance with section 26 of *O. Reg. 419/05* so that the information in the reports is accurate as of December 31 in the previous year.
3. The *Company* shall make the *Emission Summary Table* (see section 27 of *O. Reg. 419/05*) and *Acoustic Assessment Summary Table* available for examination by any person, without charge, by posting it on the Internet or by making it available during regular business hours at the *Facility*.
4. The *Company* shall, within three (3) months after the expiry of Condition 2.1 of this *Approval*, update the *ESDM Report* and the *Acoustic Assessment Report* such that the information in the reports is accurate as of the date that Condition 2.1 of this *Approval* expired.
5. Conditions 5.1 and 5.2 do not apply if Condition 2.1 has expired.

6. REPORTING REQUIREMENTS

1. Subject to Condition 6.2, the *Company* shall provide the *Director* no later than August 31 of each year, a *Written Summary Form* to be submitted through the *Ministry's* website that shall include the following:
 - a. a declaration of whether the *Facility* was in compliance with section 9 of the *EPA, O. Reg. 419/05* and the conditions of this *Approval*;
 - b. a summary of each *Modification* satisfying Condition 2.1.a. and 2.1.b. that took place in the previous calendar year that resulted in a change in the previously calculated concentration at a *Point of Impingement* for any *Compound of Concern* or resulted in a change in the sound levels reported in the *Acoustic Assessment Summary Table* at any *Point of Reception*.
2. Condition 6.1 does not apply if Condition 2.1 has expired.

7. MONITORING

1. The *Company* shall monitor and record the negative pressure of the enclosed building, through a combination of sensors, meters and physical probes, at frequencies either recommended by equipment suppliers or as determined by operational needs.

8. OPERATION AND MAINTENANCE

1. The *Company* shall prepare and implement, not later than three (3) months from the *Date of Commissioning*, operating procedures and maintenance programs for all *Processes with Significant Environmental Aspects*, which shall specify as a minimum:
 - a. frequency of inspections and scheduled preventative maintenance;
 - b. procedures to prevent upset conditions;
 - c. procedures to minimize all fugitive emissions;
 - d. procedures to prevent and/or minimize odorous emissions;
 - e. procedures to prevent and/or minimize noise emissions; and
 - f. procedures for record keeping activities relating to the operation and maintenance programs.
2. The *Company* shall ensure that all *Processes with Significant Environmental Aspects* are operated and maintained in accordance with this *Approval*, the operating procedures and maintenance programs.
3. The *Company* shall implement the *Best Management Practices Plan* for the control of fugitive odour emissions resulting from the operation of the *Facility*. The *Company* shall update the *Best Management Practices Plan* as necessary or at the direction of the *District Manager*.
4. The *Company* shall keep all exterior doors and windows in the enclosed building of the *Facility* fully closed at all times, except when used for necessary personnel or vehicle entrance and exit.
5. The *Company* shall maintain and monitor a negative pressure atmosphere within the enclosed building, relative to the ambient atmospheric conditions, at a magnitude sufficient enough to prevent:
 - a. a migration of the fugitive odour emissions from the building to any *Sensitive Receptor*; or
 - b. an occurrence of an adverse effect and/or complaints from the public being affected by the said migration of the fugitive odour emissions from the building.

9. COMPLAINTS RECORDING AND REPORTING

1. If at any time, the *Company* receives an environmental complaint from the public regarding the operation of the *Equipment* approved by this *Approval*, the *Company* shall take the following steps:
 - a. Record and number each complaint, either electronically or in a log book. The record shall include the following information: the time and date of the complaint and incident to which the complaint relates, the nature of the complaint, wind direction at the time and date of the incident to which the complaint relates and, if known, the address of the complainant.
 - b. Notify the *District Manager* of the complaint within two (2) business days after the complaint is received, or in a manner acceptable to the *District Manager*.
 - c. Initiate appropriate steps to determine all possible causes of the complaint, and take the necessary actions to appropriately deal with the cause of the subject matter of the complaint.
 - d. Complete and retain on-site a report written within one (1) week of the complaint date. The report shall list the actions taken to appropriately deal with the cause of the complaint and set out steps to be taken to avoid the recurrence of similar incidents.

10. RECORD KEEPING REQUIREMENTS

1. Any information requested by any employee in or agent of the *Ministry* concerning the *Facility* and its operation under this *Approval*, including, but not limited to, any records required to be kept by this *Approval*, shall be provided to the employee in or agent of the *Ministry*, upon request, in a timely manner.
2. Unless otherwise specified in this *Approval*, the *Company* shall retain, for a minimum of five (5) years from the date of their creation all reports, records and information described in this *Approval*, including,
 - a. a copy of the *Original ESDM Report* and each updated version;
 - b. a copy of each version of the *Acoustic Assessment Report*;
 - c. supporting information used in the emission rate calculations performed in the *ESDM Reports* and *Acoustic Assessment Reports*;
 - d. the records in the *Log*;
 - e. copies of each *Written Summary Form* provided to the *Ministry* under Condition 6.1 of this *Approval*;
 - f. records of maintenance, repair and inspection of *Equipment* related to all *Processes with Significant Environmental Aspects*; and

g. all records related to environmental complaints made by the public as required by Condition 9 of this *Approval*.

3. The *Company* shall retain for at least two (2) years from the date of their creation the following:

a. all records produced by the negative pressure monitoring system.

11. **ODOUR ABATEMENT PLAN**

1. The *Company* shall, at all times, take all reasonable measures to minimize odorous emissions and odour impacts from all potential sources at the *Facility*.

2. If the *Company* has received odour complaints and has been advised in writing by the *District Manager* that the complaints have been substantiated and have not been resolved within a reasonable time period or to the satisfaction of the *District Manager*, the *Company* shall, within one (1) month after the receipt of that written notification from the *District Manager*, or as otherwise indicated by the *District Manager*, submit an *Odour Abatement Plan* to the *District Manager*.

3. The *Odour Abatement Plan* shall include, as a minimum:

a. *Facility* and process descriptions, including a list of all potential sources of odour;

b. a detailed analysis of the environmental complaints to determine the root cause(s) of the complaints;

c. a technology benchmarking report, prepared by a *Licensed Engineering Practitioner*, to reduce off-property odour impacts. The technology benchmarking report shall include, as a minimum:

i. a comprehensive list of all control methods for odour impact reduction based on the following:

1. a comparison of methods used by other facilities in the same or similar industrial sector;

2. a review of emission control requirements and strategies from other jurisdictions; and,

3. where applicable, transfer of technologies from other sectors with similar issues, including preventative steps such as material substitutions, process changes and add-on controls or treatment methods;

ii. an evaluation of the technical feasibility of the identified control options individually, and where applicable, control options in

combination. This evaluation will include the availability and applicability of the option to the odour source, technical considerations, and any site specific considerations;

- iii. a ranking of feasible options, or option combinations with an assessment of predicted impact reductions at *Sensitive Receptors* for major sources and aggregate facility emissions including percent contribution, maximum and average odour concentrations and frequency assessment at *Sensitive Receptors*, and compared to current operations; and,
- iv. recommendations based on current odour impact assessment, predicted reductions that can be achieved by implementing feasible options, timelines, approval requirements and other applicable considerations;

d. an implementation schedule for the implementation of the proposed measures.

4. Upon acceptance of the *Odour Abatement Plan* by the *District Manager*, the *Company* shall implement the proposed abatement measures as per the schedule outlined in the *Odour Abatement Plan*.

12. **SOURCE TESTING**

1. The *Company* shall perform *Source Testing* in accordance with the procedures in *Schedule C* to determine the rates of emissions of the *Test Contaminants* from the *Targeted Source* listed in *Schedule B*, within twelve (12) months of the *Date of Commissioning* or as otherwise indicated by the *District Manager*.

13. **REVOCATION OF PREVIOUS APPROVALS**

1. This *Approval* replaces and revokes all Certificates of Approval (Air) issued under section 9 *EPA* and Environmental Compliance Approvals issued under Part II.1 *EPA* to the *Facility* in regards to the activities mentioned in subsection 9(1) of the *EPA* and dated prior to the date of this *Approval*.

SCHEDULE A

Supporting Documentation

1. Environmental Compliance Approval Application, dated December 19, 2018, signed by Michel Galtier and submitted by the *Company*;
2. Emission Summary and Dispersion Modelling Report, prepared by Matthew Griffin

/ GHD and dated December 10, 2018;

3. *Acoustic Assessment Report*, prepared by Anthony Amarra / Valcoustics Canada Ltd. and dated January 30, 2019;
4. Additional / revised information provided via email by Matthew Griffin / GHD and dated April 5, 2019; May 17, 2019; and June 12, 2019.

SCHEDULE B

Test Contaminants

Benzo(a)pyrene
Odour

Targeted Source

Main Stack

SCHEDULE C

Source Testing Procedure

1. The *Company* shall submit, not later than three (3) months prior to the *Source Testing*, to the *Manager* a *Pre-Test Plan* for the *Source Testing* required under this *Approval*.
2. The *Company* shall finalize the *Pre-Test Plan* in consultation with the *Manager*.
3. The *Company* shall not commence the *Source Testing* required under this *Approval* until the *Manager* has approved the *Pre-Test Plan*.
4. The *Company* shall notify the *Manager*, *District Manager*, and *Director* in writing of the location, date and time of any impending *Source Testing* required by this *Approval*, at least fifteen (15) days prior to the *Source Testing*.
5. The *Company* shall submit a report (hardcopy and electronic format) on the *Source Testing* to the *Manager*, *District Manager*, and *Director* not later than three (3) months after completing the *Source Testing*, or as otherwise indicated by the *District Manager*. The report shall be in the format described in the *Source Testing Code*, and shall also include, but not be limited to:
 - f. an executive summary;

- g. an identification of the applicable North American Industry Classification System code (NAICS) for the *Facility*;
- h. date, time, and duration of each test;
- i. records of operating conditions at the time of *Source Testing*, including but not limited to the following:
 - i. production data;
 - ii. *Facility/process* information related to the operation of the *Facility* and *Equipment*; and
 - iii. operational description of the general building ventilation at the time of testing;
- j. results of *Source Testing* ;
- k. results of dispersion calculations in accordance with the *AERMOD* dispersion model that employs at least five (5) years of **hourly local meteorological data** and using the average of the results of the *Source Testing*; and,
- l. a tabular comparison of emission rates from all air emission sources at the *Facility*, using *Source Testing* results where applicable to original emission rates described in the *Company's* application and the *ESDM Report*.

13. The *Director* may not accept the results of the *Source Testing* if:

- n. the *Source Testing Code* or the requirements of the *Manager* were not followed;
- o. the *Company* did not notify the *Manager*, the *District Manager*, and *Director* of the *Source Testing*; or
- p. the *Company* failed to provide a complete report on the *Source Testing*.

17. If the *Director* does not accept the results of the *Source Testing*, the *Director* may require re-testing. If re-testing is required, the *Pre-Test Plan* strategies need to be revised and submitted to the *Manager* for approval. The actions taken to minimize the possibility of the *Source Testing* results not being accepted by the *Director* must be noted in the revision.

18. The *Company* shall update their *ESDM Report* in accordance with Section 26 of *O. Reg. 419/05* with the results from the *Source Testing* and make these records available for review by staff of the *Ministry* upon request. The updated Emission Summary Table from the updated *ESDM Report* shall be submitted with the *Source Testing* report.

The reasons for the imposition of these terms and conditions are as follows:

1. GENERAL

Condition No. 1 is included to require the *Approval* holder to build, operate and maintain the *Facility* in accordance with the Supporting Documentation in Schedule A considered by the *Director* in issuing this *Approval*.

2. LIMITED OPERATIONAL FLEXIBILITY, REQUIREMENT TO REQUEST AN ACCEPTABLE POINT OF IMPINGEMENT CONCENTRATION AND PERFORMANCE LIMITS

Conditions No. 2, 3 and 4 are included to limit and define the *Modifications* permitted by this *Approval*, and to set out the circumstances in which the *Company* shall request approval of an *Acceptable Point of Impingement Concentration* prior to making *Modifications*. The holder of the *Approval* is approved for operational flexibility for the *Facility* that is consistent with the description of the operations included with the application up to the *Facility Production Limit*. In return for the operational flexibility, the *Approval* places performance based limits that cannot be exceeded under the terms of this *Approval*. *Approval* holders will still have to obtain other relevant approvals required to operate the *Facility*, including requirements under other environmental legislation such as the *Environmental Assessment Act*.

3. DOCUMENTATION REQUIREMENTS

Condition No. 5 is included to require the *Company* to maintain ongoing documentation that demonstrates compliance with the performance limits as specified in Condition 4 of this *Approval* and allows the *Ministry* to monitor ongoing compliance with these performance limits. The *Company* is required to have an up to date *ESDM Report* and *Acoustic Assessment Report* that describe the *Facility* at all times and make the *Emission Summary Table* and *Acoustic Assessment Summary Table* from these reports available to the public on an ongoing basis in order to maintain public communication with regard to the emissions from the *Facility*.

4. REPORTING REQUIREMENTS

Condition No. 6 is included to require the *Company* to provide a yearly *Written Summary Form* to the *Ministry*, to assist the *Ministry* with the review of the site's compliance with the *EPA*, the regulations and this *Approval*.

5. MONITORING

Condition No. 7 is included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the *Facility*.

6. OPERATION AND MAINTENANCE

Condition No. 8 is included to require the *Company* to properly operate and

maintain the *Processes with Significant Environmental Aspects* to minimize the impact to the environment from these processes.

7. COMPLAINTS RECORDING AND REPORTING PROCEDURE

Condition No. 9 is included to require the *Company* to respond to any environmental complaints regarding the operation of the *Equipment*, according to a procedure that includes methods for preventing recurrence of similar incidents and a requirement to prepare and retain a written report.

8. RECORD KEEPING REQUIREMENTS

Condition No. 10 is included to require the *Company* to retain all documentation related to this *Approval* and provide access to employees in or agents of the *Ministry*, upon request, so that the *Ministry* can determine if a more detailed review of compliance with the performance limits as specified in Condition 4 of this *Approval* is necessary.

9. ODOUR ABATEMENT PLAN

Condition No. 11 is included to emphasize that the *Equipment* must be maintained and operated according to a procedure that will result in compliance with the *EPA*, the Regulations and this *Approval*.

10. SOURCE TESTING

Condition No. 12 is included to require the *Company* to gather accurate information, so that the environmental impact and subsequent compliance with the *EPA*, the regulations and this *Approval*, can be verified.

11. REVOCATION OF PREVIOUS APPROVALS

Condition No. 13 is included to identify that this *Approval* replaces all Section 9 Certificate(s) of Approval and Part II.1 Approvals in regards to the activities mentioned in subsection 9(1) of the *EPA* and dated prior to the date of this *Approval*

In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me, the Environmental Review Tribunal and in accordance with Section 47 of the Environmental Bill of Rights, 1993, the Minister of the Environment, Conservation and Parks, within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Minister of the Environment, Conservation and Parks will place notice of your appeal on the Environmental Registry. Section 142 of the Environmental Protection Act provides that the Notice requiring the hearing shall state:

- a. The portions of the environmental compliance approval or each term or condition in the environmental compliance approval in respect of which the hearing is required, and;
- b. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The Notice should also include:

1. The name of the appellant;
2. The address of the appellant;
3. The environmental compliance approval number;
4. The date of the environmental compliance approval;
5. The name of the Director, and;
6. The municipality or municipalities within which the project is to be engaged in.

And the Notice should be signed and dated by the appellant.

This Notice must be served upon:

The Secretary* Environmental Review Tribunal 655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5	AND	The Minister of the Environment, Conservation and Parks 777 Bay Street, 5th Floor Toronto, Ontario M7A 2J3	AND	The Director appointed for the purposes of Part II.1 of the Environmental Protection Act Ministry of the Environment, Conservation and Parks 135 St. Clair Avenue West, 1st Floor Toronto, Ontario M4V 1P5
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*** Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349, Fax: (416) 326-5370 or www.ert.gov.on.ca**

This instrument is subject to Section 38 of the Environmental Bill of Rights, 1993, that allows residents of Ontario to seek leave to appeal the decision on this instrument. Residents of Ontario may seek leave to appeal within 15 days from the date this decision is placed on the Environmental Registry. By accessing the Environmental Registry at www.ebr.gov.on.ca, you can determine when the leave to appeal period ends.

The above noted activity is approved under s.20.3 of Part II.1 of the Environmental Protection Act.

DATED AT TORONTO this 20th day of June, 2019

Jeffrey McKerrall, P.Eng.
Director
appointed for the purposes of Part
II.1 of the *Environmental
Protection Act*

HD/
c: District Manager, MECP London - District
Matthew Griffin, GHD