

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 5314-BD5L2C  
Issue Date: June 14, 2019

1327827 Ontario Ltd.  
2200 Keene Rd  
Peterborough, Ontario  
K9J 6X9

Site Location: Mobile

*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:*

one (1) portable grinding unit to produce wood chips, having a maximum processing rate of 70 tonnes per hour of vegetation waste, including the following equipment;

- one (1) wood grinder, powered by a diesel engine (Tier 3 engine class) rated at 354 kW;
- one (1) excavator, powered by a diesel engine (Tier 3 engine class) rated at 140 kW; and
- one (1) loader, powered by a diesel engine (Tier 3 engine class) rated at 139 kW;

all in accordance with the Application for an Approval (Air & Noise) dated November 9, 2018 and signed by Paul Walsh, President, the emails from Sadie Bachynski, P.Eng. ("Cambium Inc.") dated January 21, 2019 and February 5, 2019; and all supporting information associated with the application.

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

1. *"Acoustic Assessment Report"* means the report, prepared in accordance with *Publication NPC-233* submitted in support of the application, that documents all sources of noise emissions and *Noise Control Measures* present at the *Plant*. *"Acoustic Assessment Report"* also means the *Acoustic Assessment Report* prepared by Cambium Inc., dated November 9, 2018 and signed by Trevor Copeland, P.Eng.;
2. *"Acoustic Barrier"* means a barrier or berm positioned such that it completely interrupts the line of sight between the *Equipment* and the noise sensitive *Point of Reception* continuous without holes, gaps and other penetrations, and having surface mass of at least 20 kilograms per square metres;
3. *"Approval"* means this Environmental Compliance Approval, including the application and all supporting documentation;

4. "*Class 1 Area*" means an area with an acoustical environment typical of a major population centre, where the background sound level is dominated by the activities of people, usually road traffic, often referred to as "urban hum";
5. "*Class 2 Area*" means an area with an acoustical environment that has qualities representative of both *Class 1 and Class 3* areas:
  - a. sound levels characteristic of *Class 1* during daytime (7 a.m. to 7 p.m. or to 11 p.m.); and
  - b. low evening and night background sound level defined by natural environment and infrequent human activity starting as early as 7 p.m. (7 p.m. or 11 p.m. to 7 a.m.);
6. "*Class 3 Area*" means a rural area with an acoustical environment that is dominated by natural sounds having little or no road traffic, such as:
  - a. a small community;
  - b. agricultural area;
  - c. a rural recreational area such as a cottage or a resort area; or
  - d. a wilderness area;
7. "*Company*" means 1327827 Ontario Ltd. that is responsible for the construction or operation of the *Facility* and includes any successors and assigns;
8. "*Director*" means any *Ministry* employee appointed by the Minister pursuant to Section 5 of the *EPA*;
9. "*District Manager*" means the District Manager of the appropriate local district office of the *Ministry*; at the geographic location where the *Plant* is operated;
10. "*EPA*" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;
11. "*Equipment*" means the equipment described in the *Company*'s application, this *Approval* and in the supporting documentation referred to herein, to the extent approved by this *Approval* ;
12. "*Manual*" means a document or a set of documents that provides written instructions to staff of the *Company*;
13. "*Ministry*" means the ministry of the government of Ontario responsible for the *EPA* and includes all officials, employees or other persons acting on its behalf;
14. "*Noise Control Measures*" means measures to reduce the noise emissions from the *Plant / Equipment* including, but not limited to, silencers, acoustic louvers, enclosures, absorptive treatment, plenums and barriers, described in the *Company's* application, this *Approval* and in the supporting documentation referred to herein, including the *Acoustic Assessment Report*, to the extent approved by this *Approval*;
15. "*Plant*" means the entire portable paved crushing/screening operations, incorporating the *Equipment*;
16. "*Point of Reception*" means a Point of Reception as defined in *Publication NPC-300* ;
17. "*Publication NPC-233*" means the *Ministry* Publication NPC-233 "Information to be Submitted for

Approval of Stationary Sources of Sound", October 1995; as amended;

18. "*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; and
19. "*Sensitive Receptor*" means any location where routine or normal activities occurring at reasonably expected times would experience adverse effect(s) from discharges from the *Plant* to the atmosphere, 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.), and
  - d. other outdoor public areas where there are continuous human activities (e.g.: commercial plazas and office buildings).

*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. Noise Emissions

1. The *Company* shall, at all times, ensure that the noise emissions from the *Plant* comply with the limits determined in accordance with *Ministry Publication NPC-300* .
2. The *Company* shall ensure that the *Acoustic Barrier*, when required, is implemented at all times during the operation of the *Plant*.
3. The *Company* shall ensure that the *Acoustic Barrier*, when required, is continuous, without holes, gaps or other penetrations, and having a surface density of at least 20 kilograms per square metre, and that it will be positioned in between the *Plant* and *Points of Reception* that require shielding, as specified in Schedule "B" of this *Approval*.
4. The *Company* shall ensure that the *Acoustic Barrier*, when required, is properly maintained and continues to provide the acoustical performance outlined in the *Acoustic Assessment Report*.

### 2. Time and Location Restrictions

1. The *Company* shall ensure that the *Plant* is not operated more than sixty (60) calendar days per year at any one site.
2. The *Company* shall ensure that the *Plant* is not operated at any location more than 350 kilometres radius of their main office location (2200 Keene Rd., Peterborough, Ontario).

### 3. Minimum Separation Distance(s) to the Nearest Point of Reception

1. The *Company* shall ensure a minimum separation distance between the boundary of the *Plant* and the nearest *Point of Reception* as specified in Schedule "B".

#### **4. Minimum Separation Distance to the nearest Sensitive Receptor**

1. The *Company* shall ensure that equipment is set-up according to the equipment layout drawing (Figure 1 - Operation Layout Scenario) for each site;
  - a. centre of the *Plant* means the centre of the wood grinder.
2. The *Company* shall ensure a minimum separation distance of 400 meters between the centre of the *Plant* and the nearest *Sensitive Receptors*

#### **5. Operation and Maintenance Manual**

1. The *Company* shall ensure that the *Plant/Equipment* is properly operated and maintained at all times. The *Company* shall:
  - a. prepare, not later than three (3) months after the date of this *Approval*, and update, as necessary, a *Manual* outlining the operating procedures and a maintenance program for the *Plant/Equipment*, including:
    - i. routine operating and maintenance procedures in accordance with good engineering practices and as recommended by the *Equipment* suppliers;
    - ii. emergency procedures;
    - iii. procedures for any record keeping activities relating to operation and maintenance of the *Plant/Equipment*; and
    - iv. all appropriate measures to minimize noise and fugitive dust emissions from all potential sources;
  - b. implement the recommendations of the *Manual*;
  - c. monitor the minimum Separation Distance to the nearest *Sensitive Receptors*;
  - d. retain, for a minimum of two (2) years from the date of their creation, all records on the maintenance, repair and inspection of the *Equipment*, and make these records available for review by staff of the *Ministry* upon request.

#### **6. Fugitive Dust Control**

1. The *Company* shall provide effective dust suppression to the *Equipment* and any other sources of fugitive dust emissions from the *Plant*.

#### **7. Marking of Portable Plant**

1. The *Company* shall post a legible sign in a location which is accessible to the public, clearly identifying:
  - a. the *Company* name;
  - b. the number of this *Approval*;

- c. a brief description of the nature of the operation;
- d. a *Company* contact name and telephone number for the public to provide comments;
- e. hours of operation; and
- f. length of time the *Company* intends to operate the *Plant* at that location.

## **8. Keeping a Valid Approval**

1. The *Company* shall ensure that a copy of this *Approval*, as well as any subsequent Amended Approvals or Notices that amend this *Approval*, are available for inspection by a Provincial Officer at each site where the *Plant* is operated.

## **9. Record Retention**

1. The *Company* shall retain, for a minimum of two (2) years from the date of their creation, all records and information related to or resulting from the recording activities required by this *Approval*, and make these records available for review by staff of the *Ministry* upon request. The *Company* shall retain:
  - a. all records on the maintenance, repair and inspection of the *Equipment*;
  - b. all records on the daily operation of the *Plant/Equipment*, including:
    - i. daily production rate and processed materials;
    - ii. daily start-up and shut-down times of the *Plant/Equipment*;
  - c. all records of any upset conditions associated with the operation of the *Plant/Equipment*;
  - d. all records on the environmental complaints, including:
    - i. a description, time, date and location of each incident;
    - ii. operating conditions (e.g. upset conditions, etc.) at the time of the incident;
    - iii. wind direction and other weather conditions at the time of the incident;
    - iv. the name(s) of *Company* personnel responsible for handling the incident;
    - v. the cause of the incident;
    - vi. the *Company* response to the incident; and
    - vii. description of the measures taken to address the cause of the incident and to prevent a similar occurrence in the future, and the outcome of the measures taken.

## **10. Notification Requirements**

1. The *Company* shall notify the *District Manager*, in writing, of each environmental complaint within two (2) business days of the complaint. The notification shall include:
  - a. a description of the nature of the complaint;
  - b. the time, date and location of the incident;

- c. the wind direction and other weather conditions at the time of the incident; and
- d. the name(s) of *Company* personnel responsible for handling the incident.

## **11. Change of Owner**

1. The *Company* shall notify the *Director* and the *District Manager*, in writing, of any of the following changes within one (1) month of the change occurring:
  - a. change of owner or operating authority, or both;
  - b. change of address of owner or operating authority or address of new owner or operating authority;
  - c. change of partners where the Owner is or at any time becomes a partnership, and a copy of the most recent declaration filed under the Business Names Act, R.S.O. 1990, c. B.17, as amended, shall be included in the notification;
  - d. change of name of the corporation where the Owner is or at any time becomes a corporation, and a copy of the most current information filed under the Corporations Information Act, R.S.O. 1990, c. C.39, as amended, shall be included in the notification.
2. The *Company* shall notify any succeeding new owner, in writing, of the existence of this *Approval*, as well as any subsequent Amended Approvals or Notices that amend this *Approval* and, shall forward a copy of such a notice to the *Director* and the *District Manager* together with the notification required under Condition No. 11.1.

## **12. Relocation**

1. The *Company* shall notify the *District Manager*, in writing, at least ten (10) business days in advance of any intended location of the *Plant* at each operating site, by submitting a completed Form 1, outlined in Schedule "A".

## **SCHEDULE "A"**

### **NOTICE OF RELOCATION FOR PORTABLE EQUIPMENT**

1. Owner and/or Operator
  - a. Company name :
  - b. Contact person :
  - c. Telephone number :
2. Proposed Location
  - a. Municipality:
  - b. Lot number:
  - c. Concession number:
3. Operation
  - a. Date of commencement and completion of operation: from            to
  - b. Hours of operation: from            to
  - c. Identification of the Plant and the operating scenario as defined in Schedule "B" of this Approval
  - d. Maximum processing rate (tonnes/hour):
  - e. Type of material to be processed:

Please attach the following:

1. A copy of the Approval.
2. A plot plan or sketch of the proposed location showing the following:
  - a. the entire operating site
  - b. distance between the Equipment and the nearest off-property Point of Reception
  - c. distance between the Equipment and the nearest Sensitive Receptor
  - d. land use within 500 metres from the Equipment.

## SCHEDULE "B"

### Minimum Required Separation Distances between the Plant and the Nearest Point of Reception

<b>Location of Point of Reception</b>	<b>Time of Equipment Operation</b>	<b>Minimum Separation Distance</b>
Class 1 and Class 2 Areas (Urban)	between 7:00 am and 11:00 pm	1,225 metres
Class 1 and Class 2 Areas (Urban)	between 11:00 pm and 7:00 am	1,790 metres
Class 3 Areas (Rural)	between 7:00 am and 7:00 pm	1,790 metres
Class 3 Areas (Rural)	between 7:00 pm and 7:00 am	2,535 metres
Class 1 and Class 2 Areas (Urban) with a 9.6 metre-tall barrier located no further than thirty metres from the Equipment	between 7:00 am and 11:00 pm	450 metres
Class 1 and Class 2 Areas (Urban) with a 9.6 metre-tall barrier located no further than thirty metres from the Equipment	between 11:00 pm and 7:00 am	1,010 metres
Class 3 Areas (Rural) with a 9.6 metre-tall barrier located no further than thirty metres from the Equipment	between 7:00 am and 7:00 pm	1,010 metres
Class 3 Areas (Rural) with a 9.6 metre-tall barrier located no further than thirty metres from the Equipment	between 7:00 pm and 7:00 am	1,780 metres
Class 1 and Class 2 Areas (Urban) with a 4.8 metre-tall barrier located no further than two metres from the Equipment	between 7:00 am and 11:00 pm	400 metres
Class 1 and Class 2 Areas (Urban) with a 4.8 metre-tall barrier located no further than two metres from the Equipment	between 11:00 pm and 7:00 am	700 metres
Class 3 Areas (Rural) with a 4.8 metre-tall barrier located no further than two metres from the Equipment	between 7:00 am and 7:00 pm	700 metres
Class 3 Areas (Rural) with a 4.8 metre-tall barrier located no further than two metres from the Equipment	between 7:00 pm and 7:00 am	1,185 metres



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

1. Conditions No. 1 to 8, inclusive, are included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the *Plant/Equipment* and to emphasize that the *Plant/Equipment* must be maintained and operated according to a procedure that will result in compliance with the *EPA*, the regulations and this *Approval*.
2. Condition No. 9 is included to require the *Company* to keep records and to provide information to the *Ministry* so that compliance with the *EPA*, the regulations and this *Approval* can be verified.
3. Conditions No. 10 to 12, inclusive, are included to require the *Company* to notify/report to the *Ministry* so that compliance with the *EPA*, the regulations and this *Approval* can be verified.

*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

**\* 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](http://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](http://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 14th day of June, 2019



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

JK/

c: District Manager, MECP Peterborough  
Sadie Bachynski, Cambium Inc.