

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 4873-BDHH39

Issue Date: July 25, 2019

D. Crupi & Sons Limited
85 Passmore Avenue
Post Office Box, No. 272
Toronto, Ontario
M1V 4S9

Site Location: 2777 14th Avenue
Markham City, Regional Municipality of York
L3R 0G8

*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) aggregate depot having a maximum total combined delivery and shipping rate of 2,750 tonnes per day consisting of the following source exhausting to the atmosphere:
 - fugitive emissions from the delivery, storage and handling of materials associated with aggregate depot operations;
- One (1) reclaimed concrete crushing facility having maximum processing rates of 3,400 tonnes per day including, the delivery of reclaimed concrete at 2,400 tonnes per day and shipping of crushed reclaimed concrete at 3,400 tonnes per day, consisting of the following sources exhausting to the atmosphere:
 - one (1) diesel engine rated at 365 kilowatts, exhausting into the atmosphere through a stack having an exit diameter of 0.15 metre and a height of 8 metres above grade; and
 - fugitive emissions from the handling, crushing and screening of materials associated with the crushing facility;

all in accordance with the Environmental Compliance Approval application signed by Domenic Passalacqua, General Manager dated January 25, 2019 and submitted by the *Company*; the Emission Summary and Dispersion Modelling Report prepared by Neil Chan of BCX Environmental Consulting, dated January 25, 2019; the Acoustic Assessment Report prepared by HGC Engineering, dated February 14, 2019 and signed by Corey Kinart, P.Eng.; and all other supporting information and documentation submitted in support of 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 *Facility*. "*Acoustic Assessment Report*" also means the Acoustic Assessment Report prepared by HGC Engineering, dated February 14, 2019 and signed by Corey Kinart, P.Eng.;
2. "*Approval*" means this Environmental Compliance Approval, including the application and supporting documentation listed above;
3. "*Best Management Practices Plan*" means the document titled "Best Management Practices Plan for the Control of Fugitive Dust Emissions", dated October 2014 and prepared by Crupi Group;
4. "*Company*" means D. Crupi & Sons Limited, that is responsible for the construction or operation of the *Facility* and includes any successors and assigns;
5. "*District Manager*" means the District Manager of the appropriate local district office of the *Ministry*, where the *Facility* is geographically located;
6. "*EPA*" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended ;
7. "*Equipment*" means the equipment and processes described in the *Company's* application, this *Approval* and in the supporting documentation submitted with the application, to the extent approved by this *Approval*;
8. "*Facility*" means the entire operation located on the property where the *Equipment* is located;
9. "*Manual*" means a document or a set of documents that provide written instructions to staff of the *Company*;
10. "*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;
11. "*Noise Control Measures*" means measures to reduce the noise emission from the *Facility* including, but not limited to silencers, acoustic louvres, enclosures, absorptive treatment, plenums and barriers. It also means the noise control measures outlined in the *Acoustic Assessment Report*;
12. "*Publication NPC-233*" means the *Ministry* Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October, 1995, as amended; and
13. "*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.

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. OPERATION AND MAINTENANCE

1. The *Company* shall ensure that the *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 *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 *Equipment*; and
 - iv. all appropriate measures to minimize noise, fugitive dust and odorous emissions from all potential sources.
 - b. implement the recommendations of the *Manual*.

2. FUGITIVE DUST CONTROL

1. The *Company* shall implement the *Best Management Practices Plan* for the control of fugitive dust 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*.

3. 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*;

and

- b. all records of any environmental complaints, including:
 - i. a description, time and date of each incident to which the complaint relates;
 - ii. wind direction at the time of the incident to which the complaint relates; and
 - iii. a description of the measures taken to address the cause of the incident to which the complaint relates and to prevent a similar occurrence in the future.

4. NOTIFICATION OF COMPLAINTS

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; and
 - b. the time and date of the incident to which the complaint relates.

5. NOISE

1. The *Company* shall:
 - a. implement not later than six (6) months from the date of this *Approval*, the *Noise Control Measures* as outlined in the *Acoustic Assessment Report*;
 - b. following the implementation of the *Noise Control Measures*, comply with the limits set out in *Publication NPC-300*; and
 - c. properly maintain the *Noise Control Measures* ensuring that they continue to meet the acoustical performance outlined in the *Acoustic Assessment Report*.

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

1. Conditions No. 1 and 2 are 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*.
2. Condition No. 3 is included to require the *Company* to keep records and to provide information to staff of the *Ministry* so that compliance with the *EPA*, the *Regulations* and this *Approval* can be verified.

3. Condition No. 4 is included to require the *Company* to notify staff of the *Ministry* so as to assist the *Ministry* with the review of the site's compliance.
4. Condition No. 5 is included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the *Facility*.

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 8254-AQXNNJ issued on September 28, 2017

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.

Pursuant to subsection 139(3) of the Environmental Protection Act, a hearing may not be required with respect to any terms and conditions in this environmental compliance approval, if the terms and conditions are substantially the same as those contained in an approval that is amended or revoked by this environmental compliance approval.

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

AND

The Minister of the Environment,
Conservation and Parks
777 Bay Street, 5th Floor
Toronto, Ontario

AND

The Director appointed for the purposes of
Part II.1 of the Environmental Protection Act
Ministry of the Environment, Conservation
and Parks

*** 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 25th day of July,
2019

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

KS/
c: District Manager, MECP York-Durham
Roxana Ungureanu/ Neil Chan/ Corey Kinart, BCX Environmental Consulting/HGC Engineering