

AMENDED ENVIRONMENTAL COMPLIANCE APPROVALNUMBER 8840-BCENZE
Issue Date: September 16, 2019

Associated Paving & Materials Ltd.
5365 Munro Court
Burlington, Ontario
L7L 5M7

Site Location: 850 Syscon Court
Burlington City, Regional Municipality of Halton
L7L 6C5

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) permanent batch-type hot mix asphalt (HMA) plant, operating with a maximum production rate of 300 tonnes per hour, 3,600 tonnes HMA per day and 300,000 tonnes of HMA per year; consisting of the following process and support units:
 - one (1) dryer/mixer, equipped with one (1) natural gas fired burner, having a maximum heat input of 142.3 million kilojoules per hour, with particulate emissions controlled by one (1) baghouse dust collector having 1,685 square metres of singed fiber filter bags, and a pulse-jet cleaning mechanism, exhausting into the air at a volumetric flow rate of 42.1 actual cubic metres per second at an approximate temperature of 130 degrees Celsius, through a stack, having an exit diameter of 1.20 metres, extending 16.4 metres above grade;
- three (3) liquid asphalt cement storage tanks, each having a maximum capacity of 113,550 litres (30,000 US gallons), equipped with one (1) natural gas fired hot-oil heater and air cooled condenser, having a maximum heat input of 1,317,938 kilojoules per hour, discharging into the air through a stack, extending 2.0 metres above grade;
- four (4) hot mix asphalt storage silos, each having a maximum storage capacity of 190 tonnes;
- one (1) electric powered crusher that is being used to crush broken concrete and broken asphalt, operating with a maximum combined delivery/shipping rate of 200 tonnes per hour and 2,400 tonnes per day;

all in accordance with the Application for *Approval* (Air) submitted by the *Company*, dated April 12, 2018 and signed by Stanley Capobianco Jr., including the Emission Summary and Dispersion Modelling Report submitted by ORTECH Consulting Inc., dated April 11, 2018 and signed by Peter Piersol; the Acoustic Assessment Report by HGC Engineering, dated January 30, 2019 and signed by Petr Chocensky; and email updates provided by Ibrahim Syed of ORTECH Consulting Inc. on September 06, 07, 18, November 02, 15, 2018 and February 25, 2019; and Scott Manser of ORTECH Consulting Inc. on September 20, 2018 and May 23, 2019; and Peter Piersol of ORTECH Consulting Inc. on April 11 and June 05, 2019.

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

1. "*Acoustic Assessment Report*" means the report, prepared in accordance with *Ministry Publication NPC-233*, by Petr Chocensky of HGC Engineering 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*;
2. "*Approval*" means this Environmental Compliance Approval, including the application and supporting documentation listed above;
3. "*Best Management Practices Plan*" means a document or a set of documents which describe measures to minimize dust emissions from the *Facility* and/or *Equipment*;
4. "*Company*" means **Associated Paving & Materials Ltd.**, 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 or processes related to the hot mix asphalt plant and crusher 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 emissions from the *Facility* and/or *Equipment* including, but not limited to, silencers, barriers and enclosures. It also means the noise

control measures detailed 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;
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.
14. "*Technical Bulletin: Management Approaches for Industrial Fugitive Dust Sources*" means the *Ministry* publication "Technical Bulletin: management approaches for industrial fugitive dust sources", March 8, 2017, 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, including spill clean-up procedures;
 - iii. procedures for any record keeping activities relating to operation and maintenance of the *Equipment*;
 - iv. all appropriate measures to minimize noise and odorous emissions from all potential sources; and
 - v. the frequency of inspection and replacement of the filter material in the *Equipment*;
 - b. implement the recommendations of the *Manual*.

2. The *Company* shall prepare and implement procedures to monitor and keep records of the loss on heating (ASTM Method D2872 - Rolling Thin Film Oven Test) of the received liquid asphalt cement to ensure the annual average loss on heating for the received liquid asphalt cement is not greater than 0.50%.
3. The *Company* shall prepare and implement procedures to determine and keep records of the temperatures of HMA as it leaves the mixing process to ensure the HMA temperature does not exceed 149 degrees Celsius (300°F).
4. The *Company* shall prepare and implement procedures to monitor and keep records of liquid asphalt cement storage tanks temperature, to ensure that liquid asphalt cement storage tanks do not operate above 149 degrees Celsius (300°F).
5. The *Company* shall not receive more than 180 tonnes per day and 15,000 tonnes per year of liquid asphalt at the maximum temperature of 149 degrees Celsius (300°F).

2. 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.

3. 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.

4. NOISE

1. The *Company* shall at all times ensure that the noise emissions from the *Facility* comply with the limits set out in *Ministry Publication NPC-300*.
2. The *Company* shall restrict the crushing operation to the daytime and evening hours of 7:00 am to 11:00 pm.
3. The *Company* shall ensure that the *Noise Control Measures* detailed in the *Acoustic Assessment Report* are incorporated at the *Facility*.
4. The *Company* shall ensure that the *Noise Control Measures* are properly maintained and continue to provide the acoustical performance outlined in the *Acoustic Assessment Report*.

5. FUGITIVE DUST CONTROL

1. The *Company* shall develop in consultation with the *District Manager*, a *Best Management Practices Plan* for the control of fugitive dust emissions. This *Best Management Practices Plan* shall:
 - a. at minimum, be prepared in accordance with *Ministry Technical Bulletin: Management Approaches for Industrial Fugitive Dust Sources*; and
 - b. include a list of all *Ministry* comments received, if any, on the development of the *Best Management Practices Plan*, and a description of how each *Ministry* comment was addressed in the *Best Management Practices Plan*.
2. The *Company* shall submit the *Best Management Practices Plan* to the *District Manager* not later than three months after the date of this *Approval* or as otherwise indicated by the *District Manager*.
3. Upon acceptance of the *Best Management Practices Plan* by the *District Manager*, the *Company* shall immediately implement the *Best Management Practices Plan* for the control of fugitive dust emissions to provide effective dust suppression measures to any potential sources of fugitive dust emissions resulting from the operation of the *Facility*.
4. The *Company* shall update the *Best Management Practices Plan* as necessary or at the direction of the *District Manager*.

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

1. Condition No. 1 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*.
2. Condition No. 2 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. 3 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. 4 is included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the *Facility*.
5. Condition No. 5 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*.

**Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s).
7171-7DLQCV issued on May 22, 2008**

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
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

* 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 16th day of September, 2019



Christina Labarge, P.Eng.
Director
appointed for the purposes of Part II.1 of the
Environmental Protection Act

BS/
c: District Manager, MECP Halton-Peel
Peter Piersol, ORTECH Consulting