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Ministry of the Environment, Conservation and Parks
Ministère de l'Environnement, de la Protection de la nature et des Parcs

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 4924-BDVKPK

Issue Date: September 9, 2019

Port Welding Ltd
733126 Southgate Sideroad 73
Southgate, Ontario
N0C 1L0

Site Location: 733126 Southgate Sideroad 73
733126 Southgate Sideroad 73 R.R. #1
Southgate Township, County of Grey
N0C 1L0

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) natural gas-fired generator set, as the main power supply to the shop area, powered by a 150 kilowatt PSI engine model 8.1L, discharging to the air at a maximum volumetric flow rate of 0.38 actual cubic metre per second at an approximate temperature of 732 degrees Celsius, through a stack having an exit diameter of 0.10 metre and extending 3.65 metres above grade;
- three (3) general exhaust fans serving the laser cutting operations which are equipped with dust collectors, each having a maximum volumetric flow rate of 12.2 cubic metres per second, discharging to the air through a stack, having exit diameter of 1.27 meters, at the height of 5.18 metres above grade; and
- one (1) general exhaust fan serving the welding operations, discharging to the air at a maximum volumetric flow rate of 2.76 cubic meters per second, through a stack having an exit diameter of 0.46 metre, at the height of 2.44 metres above grade;

all in accordance with the Environmental Compliance Approval Application dated September 29, 2018 and signed by Cleon Martin, (Owner), Port Welding Ltd, and all supporting information associated with the application including Emission Summary and Dispersion Modelling Report provided by adomait Environmental Solutions Inc., dated September 5, 2018, and signed by Andrew Lane-Smith; and Acoustic Assessment Report dated September 2018, prepared by Hurlburt Environmental Engineering and signed by Antje Hurlburt.

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*. It also means the acoustic assessment report dated September 2018, prepared by Hurlburt Environmental Engineering and signed by Antje Hurlburt;
2. "*Approval*" means this Environmental Compliance Approval, including the application and supporting documentation listed above;
3. "*Company*" means Port Welding Ltd., that is responsible for the construction or operation of the *Facility* and includes any successors and assigns;
4. "*Director*" means a person appointed by the Minister pursuant to section 5 of the *EPA*;
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. "*ESDM Report*" means the Emission Summary and Dispersion Modelling Report prepared in accordance with section 26 of *O. Reg. 419/05* and the *Procedure Document* by Adomait Environmental Solutions Inc. and dated September 5, 2018, submitted in support of the application including any addendum submissions made during the *Ministry's* review of the *Company's* application;
9. "*Facility*" means the entire operation located on the property where the *Equipment* is located;
10. "*Manager*" means the Manager, Technology Standards Section, Technical Assessment and Standards Development Branch, 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*;
11. "*Manual*" means a document or a set of documents that provide written instructions to staff of the *Company*;
12. "*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;
13. "*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. It also means the

noise control measures outlined in the *Acoustic Assessment Report*;

14. "O. Reg. 419/05" means Ontario Regulation 419/05, Air Pollution – Local Air Quality, as amended;
15. "*Point of Impingement*" has the same meaning as in section 2 of O. Reg. 419/05;
16. "*Pre-Test Plan*" means a plan for the *Source Testing* including the information required in Section 5 of the Source Testing Code;
17. "*Procedure Document*" means *Ministry* guidance document titled "Procedure for Preparing an Emission Summary and Dispersion Modelling Report", dated February 2017, as amended;
18. "*Publication NPC-233*" means the *Ministry* Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October, 1995 as amended;
19. "*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;
20. "*Source Testing*" means sampling and testing to measure emissions resulting from operating the *Targeted Sources* under conditions which yield the worst case emissions within the approved operating range of the *Targeted Sources* which satisfies paragraph 1 of subsection 11(1) of O. Reg. 419/05;
21. "*Source Testing Code*" means the Ontario Source Testing Code, dated June 2010, prepared by the *Ministry*, as amended;
22. "*Targeted Source*" means the natural gas-fired generator set that is the main power supply to the *Facility*, described in the *Company's* application, this *Approval* and in the supporting documentation submitted with the application, to the extent approved by this *Approval*; and
23. "*Test Contaminant*" means Nitrogen Oxides (expressed as nitrogen dioxide equivalent).

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*;
 - iv. all appropriate measures to minimize noise and dust emissions from all potential sources; and
 - v. the frequency of inspection and replacement of the filter material in the *Equipment*; and
- b. implement the recommendations of the *Manual*.

2. SOURCE TESTING

1. The *Company* shall ensure that the emissions of the *Test Contaminant* in the gases emitted from the stack of the *Targeted Source* shall not be greater than the emission limits specified in Schedule "A" of this *Approval*.
2. The *Company* shall perform *Source Testing* once every two (2) years to determine the rate of emission of the *Test Contaminant* from the *Targeted Source*.
3. The *Company* shall submit, not later than three (3) months after the date of this *Approval*, to the *Manager* a *Pre-Test Plan* for the *Source Testing* of the *Targeted Source*. The *Company* shall finalize the *Pre-Test Plan* in consultation with the *Manager*.
4. The *Company* shall not commence the *Source Testing* required under this *Approval* until the *Manager* has approved the *Pre-Test Plan*.
5. The *Company* shall complete the *Source Testing* not later than three (3) months after the *Manager* has approved the *Pre-Test Plan*.
6. The *Company* shall notify the *Manager*, the *District Manager* and the *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*.
7. The *Company* shall submit a report (hardcopy and electronic format) on the *Source Testing* to the *Manager*, the *District Manager* and the *Director* not later than three (3) months after completing the *Source Testing*. The report

shall be in the format described in the *Source Testing Code*, and shall also include, but not be limited to:

- a. an executive summary;
 - b. an identification of the applicable North American Industry Classification System code (NAICS) for the *Facility*;
 - c. 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 *Targeted Source*;
 - iii. description of the emission sources controlled by the *Targeted Source* at the time of testing; and
 - iv. operational description of the general building ventilation at the time of testing;
 - d. results of *Source Testing*, including the emission rate, emission concentration, and relevant emission factor of the *Test Contaminant* from the *Targeted Source*; and
 - e. a tabular comparison of *Source Testing* results for the *Targeted Source* and *Test Contaminant* to original emission estimates described in the *Company's* application and the *ESDM Report*.
8. The *Director* may not accept the results of the *Source Testing* if:
- a. the *Source Testing Code* or the requirements of the *Manager* were not followed;
 - b. the *Company* did not notify the *Manager*, the *District Manager* and *Director* of the *Source Testing*; or
 - c. the *Company* failed to provide a complete report on the *Source Testing*.
9. 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 revised *Pre-Test Plan* submission to the *Manager*.
10. If the *Source Testing* results indicate the emission estimates are higher than the original emission estimates described in the *Company's* application and the *ESDM Report*, the *Company* shall update their *ESDM Report* in accordance with Section 26 of *O. Reg. 419/05* with the emission estimates

from the *source testing* report 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 report on the *Source Testing*.

11. The *District Manager* may not require subsequent Source Testing or relax the frequency of subsequent Source Testing if the results of the Source Testing indicate that the environmental impact from the Test Contaminant are insignificant.

3. NOISE

1. The *Company* shall restrict the nitrogen tank pressure relief operations, all gas tanker deliveries, and all tank filling operations to the period of 7:00 AM to 7:00 PM.
2. The *Company* shall:
 - a. implement the *Noise Control Measures* as detailed in the *Acoustic Assessment Report* not later than six (6) months after the date of the *Approval*,
 - b. at all times, subsequent to the completion of the *Noise Control Measures*, ensure that the noise emissions from the *Facility* comply with the limits set out in *Ministry Publication NPC-300*, and
 - c. ensure that the *Noise Control Measures* are properly maintained and continue to provide the acoustical performance outlined in the *Acoustic Assessment Report*.

4. 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.

5. 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.

SCHEDULE "A"

Maximum Limits

Contaminant	Maximum Limit
Nitrogen Oxide	0.40 kg/MWh

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 gather and retain accurate information so that compliance with the *EPA*, the regulations and this *Approval* can be verified.
3. Condition No. 3 is included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the *Facility*.
4. Condition No. 4 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.
5. Condition No. 5 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.

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 7403-98ULBD issued on November 3, 2014.

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
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**

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 9th day of
September, 2019

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

AA/

c: District Manager, MECP Owen Sound District Office
Andrew Lane-Smith, adomait Environmental Solutions inc.