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

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 6949-BDYLHL

Issue Date: August 23, 2019

R. W. Tomlinson Limited  
100 Citigate Drive  
Ottawa, Ontario  
K2J 6K7

**Site Location:** 2870 Rideau Road and 5151 Albion Road  
Ottawa, Ontario  
K1X 0A5

*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) crushing plant, processing aggregate materials, consisting of the following sources discharging to the atmosphere:

- one (1) crusher, processing materials at a maximum rate of 40 tonnes per hour;
- one (1) screen, processing materials at a maximum rate of 390 tonnes per hour;
- two (2) diesel fired generators, each rated 455 kilowatts, providing power for the facility operations and discharging to the atmosphere each through a stack having a volumetric flow rate of 1.52 cubic metres per second and an exit diameter of 0.2 metre, extending 4.0 metres above grade;
- fugitive emissions resulting from the delivery, storage, and transfer of materials associated with crushing operations;

all in accordance with the Application for Approval (Air & Noise) submitted by R. W. Tomlinson Limited, dated September 28, 2018 and signed by Rob Pierce; and the supporting information, including: the Emission Summary and Dispersion Modelling Report dated April 4, 2019 and the revisions dated July 29, 2019, all submitted by Golder Associates Ltd. and signed by Katie Armstrong; and the Acoustic Assessment Report prepared by Freefield Ltd, dated May 6, 2019 and signed by Hugh Williamson, P.Eng.

*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 Freefield Ltd., dated May 6, 2019 and signed by Hugh Williamson, P.Eng.;
2. "*Acoustic Audit*" means an investigative procedure consisting of measurements and/or acoustic modelling of all sources of noise emissions due to the operation of the *Facility*, assessed to determine compliance with the Performance Limits for the *Facility* regarding noise emissions, completed in accordance with the procedures set in *Publication NPC-103* and reported in accordance with *Publication NPC-233*;
3. "*Acoustic Audit Report*" means a report presenting the results of an *Acoustic Audit*, prepared in accordance with *Publication NPC-233*;
4. "*Acoustic Barrier*" means a barrier or berm positioned such that it completely interrupts the line of sight between the *Equipment* and the noise sensitive *Points of Reception* continuous without holes, gaps and other penetrations, and having surface mass of at least 20 kilograms per square metre;
5. "*Acoustical Consultant*" means a person currently active in the field of environmental acoustics and noise/vibration control, who is familiar with *Ministry* noise guidelines and procedures and has a combination of formal university education, training and experience necessary to assess noise emissions from a *Facility*;
6. "*Approval*" means this Environmental Compliance Approval, including the application and supporting documentation listed above;
7. "*Best Management Practices Plan*" means section 3.1 of the document titled "ALBION/O'BRIEN PIT OPERATIONS MANUAL 2018", prepared by the *Company*, which describe measures to minimize dust emissions from the *Facility* and/or *Equipment*;
8. "*Company*" means R. W. Tomlinson Limited, that is responsible for the construction or operation of the *Facility* and includes any successors and assigns;
9. "*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*;
10. "*District Manager*" means the District Manager of the appropriate local district office of the *Ministry*, where the *Facility* is geographically located;
11. "*EPA*" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;
12. "*ESDM Report*" means the Emission Summary and Dispersion Modelling Report

dated April 4, 2019 and the revisions dated July 29, 2019, which were prepared in accordance with section 26 of *O. Reg. 419/05* and the *Procedure Document* by Katie Armstrong / Golder Associates Ltd., submitted in support of the application;

13. "*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*;
14. "*Facility*" means the entire operation located on the property where the *Equipment* is located;
15. "*Independent Acoustical Consultant*" means an *Acoustical Consultant* who is not representing the *Company* and was not involved in preparing the *Acoustic Assessment Report* or the design/implementation of *Noise Control Measures* for the *Facility* and/or *Equipment*. The Independent Acoustical Consultant shall not be retained by the *Acoustical Consultant* involved in the noise impact assessment or the design/implementation of *Noise Control Measures* for the *Facility* and/or *Equipment*;
16. "*Manual*" means a document or a set of documents that provide written instructions to staff of the *Company*;
17. "*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;
18. "*Ministry*" means the ministry of the *Minister*;
19. "*Noise Control Measures*" means measures to reduce the noise emission from the *Facility* and/or *Equipment* including, but not limited to silencers, acoustic louvers, enclosures, absorptive treatment, plenums and barriers. It also means the noise control measures outlined in Schedule A of this *Approval*;
20. "*O. Reg. 419/05*" means Ontario Regulation 419/05, Air Pollution – Local Air Quality, as amended;
21. "*Point of Reception*" means point of reception as defined by *Publication NPC-300*;
22. "*Procedure Document*" means *Ministry* guidance document titled "Procedure for Preparing an Emission Summary and Dispersion Modelling Report" dated February 2017, as amended;
23. "*Publication NPC-103*" means the *Ministry* Publication NPC-103 of the Model Municipal Noise Control By-Law, Final Report, August 1978, published by the *Ministry* as amended;
24. "*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;

25. "*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
26. "*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. PERFORMANCE LIMITS

1. The *Company* shall:
  - a. ensure the emissions from the crusher, the screen, and conveyers are controlled by spray bars;
  - b. ensure the weight percentage of crystalline silica (CAS No. 14808-60-7) in the material being processed does not exceed 12.5%; and
  - c. ensure the processing rates for the *Equipment* are in accordance with Appendix A of the *ESDM Report*.

### 2. 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. the frequency of inspection of the *Equipment*;
    - iii. emergency procedures, including spill clean-up procedures;
    - iv. all appropriate measures to minimize noise emissions from all potential sources;
    - v. procedures for updating and documenting what *Noise Control*

*Measures* are employed and the operational phases as it relates to the *Noise Control Measures*;

- vi. notification to the *District Manager* of the implementation of any *Noise Control Measures* triggers/changes;
  - vii. procedures for any record keeping activities relating to operation and maintenance of the *Facility* and *Equipment*;
  - viii. procedure for recording the daily processing rates;
  - ix. procedure for identifying the weight percentage of crystalline silica (CAS No. 14808-60-7) in the materials being processed;
  - x. procedure for recording and responding to environmental complaints relating to the operation of the *Facility*; and
- b. implement the recommendations of the *Manual*.

### **3. FUGITIVE DUST CONTROL**

1. The *Company* shall implement the *Best Management Practices Plan* prepared in August 2010 and revised in January 2018, as outlined in section 3 of the *Company's Operations Manual*, 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*.

### **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*, including:
    - i. the maintenance, repair and inspection of the *Equipment*;
    - ii. the minimization of fugitive dust and noise emissions from the *Facility*;
    - iii. daily processing rates;
    - iv. daily start-up and shut-down times of the *Facility*;
    - v. the weight percentage of crystalline silica (CAS No. 14808-60-7) in the materials being processed;
  - b. all records of any environmental complaints, including:

- i. a description, time and date and location of each incident to which the complaint relates;
- 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 to which the complaint relates;
- iv. the cause of the incident;
- v. the name(s) of *Company* personnel responsible for handling the incident;
- vi. the *Company* response to the incident; and
- vii. 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;
  - b. the time and date of the incident to which the complaint relates;
  - c. the wind direction and other weather conditions at the time of the incident to which the complaint relates; and
  - d. the name(s) of *Company* personnel responsible for handling the incident.

## 6. NOISE

1. The *Company* shall:
  - a. implement the *Noise Control Measures* as outlined in Schedule A of this *Approval*, prior to the commencement of each mining phase of the *Facility*;
  - b. ensure, subsequent to the implementation of the *Noise Control Measures* that the noise emissions from the *Facility* comply with the limits set 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*.

2. The *Company* shall, at all times, ensure that the vibration emissions from the *Facility* comply with the limits set out in *Ministry Publication NPC-207*.

## 7. **ACOUSTIC AUDIT**

1. The *Company* shall carry out *Acoustic Audit* measurements on the actual noise emissions due to the operation of the *Facility*. The *Company* shall:
  - a. carry out *Acoustic Audit* measurements in accordance with the procedures in *Publication NPC-103*;
  - b. submit an *Acoustic Audit Report* on the results of the *Acoustic Audit*, prepared by an *Independent Acoustical Consultant*, in accordance with the requirements of *Publication NPC-233*, to the *District Manager* and the *Director*, not later than six (6) months after the removal of *Acoustic Barrier 1A* and the commencement of extraction operations in the north-east aggregate extraction sector of the *Albion Pit Facility*;
  - c. submit an *Acoustic Audit Report* on the results of the *Acoustic Audit*, prepared by an *Independent Acoustical Consultant*, in accordance with the requirements of *Publication NPC-233*, to the *District Manager* and the *Director*, not later than six (6) months after the commencement of extraction operations in the south-west aggregate extraction sector of the *O'Brien Pit Facility*; and
  - d. submit an *Acoustic Audit Report* on the results of the *Acoustic Audit*, prepared by an *Independent Acoustical Consultant*, in accordance with the requirements of *Publication NPC-233*, to the *District Manager* and the *Director*, not later than six (6) months after the commencement of extraction operations in the northwest aggregate extraction sector of the *Albion Pit Facility*.

## 8. The *Director*:

- a. may not accept the results of the *Acoustic Audit* if the requirements of *Publication NPC-233* were not followed; and
- b. may require the *Company* to repeat the *Acoustic Audit* if the results of the *Acoustic Audit* are found unacceptable to the *Director*.

## SCHEDULE A

### Noise Control Measures

Num	Phase	Describe	Location	Noise Control Measure	Acoustic Barrier Height (meters)	Acoustic Barrier Length (meters)	Sources	Time Period	Figure
1	All Phases	Admin Controls	Screening Plant shall be located as per Figure 2 and 17	Restricted to location UTM easting 18453500, northing 5014998	NA	NA	Screening Plant, SP2	Day, Evening and Night	Figure 2 and 17
2	All Phases	Admin Controls	Highway trucks may use the north entrance during the daytime. These trucks shall be restricted to the south west entrance during the evening and night	Highway trucks limited to 20 inbound, 20 outbound per 60 minute period daytime, evening, and 10 inbound, 10 outbound per 60 minute period during night time. Maximum speed is 20 km/h and no engine	NA	NA	Rock Truck	Day, Evening and Night	Figure 2 and 17



				brakes					
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**Noise Control Measures (continued)**

<b>Num</b>	<b>Phase</b>	<b>Describe</b>	<b>Location</b>	<b>Noise Control Measure</b>	<b>Acoustic Barrier Height (meters)</b>	<b>Acoustic Barrier Length (meters)</b>	<b>Sources</b>	<b>Time Period</b>	<b>Figure</b>
3	All Phases	Admin Controls	Near Screener	Max of two Loaders	NA	NA	Loaders 1 and 2	Day time 0700 to 1900	NA
4	All Phases	Admin Controls	At extract face	Max two Loaders or two Excavators operating at extract face	NA	NA	Loaders 3 and 4, or Excavators 1 and 2	Day time 0700 to 1900	NA
5	All Phases	Admin Controls	Near Screener	Max of one Loader	NA	NA	Loader 1	Evening and Night 1900 to 0700	NA
6	All Phases	Admin Controls	At extract face	No extract operations are permitted evening and night	NA	NA	Loaders, Excavators, Trucks	Evening and Night 1900 to 0700	NA
7	All Phases	Acoustic Barrier, east of north entrance	North Property Line, blocking line of sight to north receptors R1, R2	Acoustic Barrier (Barrier 1A), or (Barrier 1C with Barrier 1D)	Barrier 1A: 4 to 5 meter min height or (Barrier 1C: 7 meter min height and Barrier 1D: 5 meter	Barrier 1A is 322 meters long. Barrier 1C is 351 meters long. Barrier 1D is 94 meters long	Screeners, Loaders, Excavators, Trucks	Day time 0700 to 1900	Figure 18

					min height)				
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**Noise Control Measures (continued)**

<b>Num</b>	<b>Phase</b>	<b>Describe</b>	<b>Location</b>	<b>Noise Control Measure</b>	<b>Acoustic Barrier Height (meters)</b>	<b>Acoustic Barrier Length (meters)</b>	<b>Sources</b>	<b>Time Period</b>	<b>Figure</b>
8	Extract east of R15, line AA	Acoustic Barrier, west of north entrance	North Property Line, blocking line of sight to north receptors R14, R15	Acoustic Barrier: Barrier 2A, and Barrier 3A	Barrier 2A: 4.5 meter min height, and Barrier 3A: 3 meter min height	Barrier 2A is 140 meters long. Barrier 3A is 68 meters long	Screeener, Loaders, Excavators, Trucks	Day time 0700 to 1900	Figure 18 and 19
9	Extract west of R15, line AA, north west corner of Albion Pit	Acoustic Barrier	Blocking line of sight to R13, R14, R15	Acoustic Barriers (Barrier 2B, 3B, 4A)	Barrier 2B: 5 meter to 5.5 meter min height, and Barrier 3B: 5 meter min height, Barrier 4A: 4.5 meter min height	Barrier 2B is 140 meters long, Barrier 3B is 68 meters long, Barrier 4A is 119 meters long	Screeener, Loaders, Excavators, Trucks	Day time 0700 to 1900	Figure 18 and 19

**Noise Control Measures (continued)**

<b>Num</b>	<b>Phase</b>	<b>Describe</b>	<b>Location</b>	<b>Noise Control Measure</b>	<b>Acoustic Barrier Height (meters)</b>	<b>Acoustic Barrier Length (meters)</b>	<b>Sources</b>	<b>Time Period</b>	<b>Figure</b>
10	Extract west of R15, line AA, south west corner of O'Brien Pit	Acoustic Barrier	Blocking line of sight to R11, R12	Acoustic Barrier (Barriers 2B, 5 and 6)	Barrier 2B: 5 to 5.5 meter min height. Barrier 5: 3 meter min height, Barrier 6: 5 meter min height	Barrier 2B is 140 meters long, Barrier 5 is 418 meters long, Barrier 6 is 76 meters long	Screeener, Loaders, Excavators, Trucks	Day time 0700 to 1900	Figure 20
11	All Phases	Acoustic Barrier	North Property Line, Blocking line of sight to north receptors	Acoustic Barrier (Barrier 1B, 2C, 3A and 4B)	Barrier 1B: 4.5 to 8 meter min height, Barrier 2C: 4.5 to 7.7 meter min height, Barrier 3A: 3 meter min height, Barrier 4B: 2.5 meter min	Barrier 1B is 323 meters long, Barrier 2C is 140 meters long, Barrier 3A is 3 meters long, Barrier 4B is 69 meters long	Screeener, and one Loader, Trucks	Evening and Night time 1900 to 0700	Figure 18 and 19

					height				
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**Noise Control Measures (continued)**

Num	Phase	Describe	Location	Noise Control Measure	Acoustic Barrier Height (meters)	Acoustic Barrier Length (meters)	Sources	Time Period	Figure
12	All Phases	Acoustic Barrier, if barrier 1A or 1B is removed	North Property Line, blocking line of sight to north receptors	Acoustic Barrier (Barrier 1C, 1D, 2C, 3A and 4B)	Barrier 1C: 7 meter min height, Barrier 1D: 5 meter min height, Barrier 2C: 4.5 to 7.7 meter min height, Barrier 3A: 3 meter min height, Barrier 4B: 2.5 meters min height	Barrier 1C is 351 meters long, Barrier 1D is 94 meters long, Barrier 2C is 140 meters long, Barrier 3A is 3 meters long, Barrier 4B is 69 meters long	Screeners and one Loader, and Trucks	Evening and Night time 1900 to 0700	Figure 18 and 19

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

1. Conditions number 1 to number 3 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 number 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.

3. Condition number 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.
4. Condition number 6 is included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the *Facility*.
5. Condition number 7 is included to require the *Company* to gather accurate information and submit an *Acoustic Audit Report* in accordance with procedures set in the *Ministry's* noise guidelines, so that the environmental impact and subsequent compliance with 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 <https://ero.ontario.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 23rd day of August,  
2019

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

MV/  
c: District Manager, MECP Ottawa  
Katie Armstrong, Golder Associates Ltd.