

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 8714-BJ6NWT

Issue Date: December 3, 2019

Artscrushing & Recycling Inc.  
2517 Fanshawe Park Road East  
London, Ontario  
N5X 4A1

**Site Location:** Mobile - limited to a Specified Geographic Area

*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 crushing plant, processing construction and demolition waste materials at a maximum rate of 120 tonnes per hour and consisting of the following:

- One (1) portable crusher/screener controlled by a wet suppression system and powered by a diesel engine rated at 261 kilowatts;
- One (1) stacker conveyor discharging to a stockpile.

All in accordance with the Environmental Compliance Approval application signed by Anthony Aarts, dated November 13, 2018, and submitted by the *Company*, the Emission Summary and Dispersion Modelling Report prepared by Kemmy Hunter P.Eng. of Englobe, dated November 5, 2018, and submitted in support of the application, the information submitted by Kemmy Hunter P.Eng. on October 17, October 18, November 14, November 15, and November 29, 2019, the Acoustic Assessment Report prepared by Valcoustics Canada Ltd., dated December 4, 2018 and signed by Sam Du, 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 *Plant*. "*Acoustic Assessment Report*" also means the Acoustic Assessment Report prepared by Valcoustics Canada Ltd., dated December 4, 2018 and signed by Sam Du, P.Eng.;

2. "*Acoustic Barrier*" means a barrier or berm positioned such that it completely interrupts the line of sight between the *Plant* 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 metres;
3. "*Approval*" means this Environmental Compliance Approval, including the application and supporting documentation listed above;
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:
  1. sound levels characteristic of Class 1 during daytime (07:00 to 19:00 or to 23:00 hours); and
  2. low evening and night background sound level defined by natural environment and infrequent human activity starting as early as 19:00 hours (19:00 or 23:00 to 07:00 hours);
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:
  1. a small community;
  2. agricultural area;
  3. a rural recreational area such as a cottage or a resort area; or
  4. a wilderness area;
7. "*Company*" means Artscrushing & Recycling Inc., that is responsible for the construction or operation of the *Plant* and includes any successors and assigns;
8. "*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*;
9. "*District Manager*" means the District Manager of the appropriate local district office of the *Ministry*, where the *Plant* is geographically operated;
10. "*EPA*" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;
11. "*Equipment*" means the processes and equipment described in the *Company's* application, this *Approval* and in the supporting documentation submitted with the application, to the extent approved by this *Approval*;
12. "*Manual*" means a document or a set of documents that provide written instructions to staff of the *Company*;

13. "*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;
14. "*Ministry*" means the ministry of the *Minister*;
15. "*Noise Control Measures*" means measures to reduce the noise emissions from the *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, to the extent approved by this *Approval*;
16. "*Plant*" means the portable crushing plant, incorporating the *Equipment*;
17. "*Point of Reception*" means a Point of Reception as defined in *Publication NPC-300*;
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. "*Specified Geographic Area*" means the area defined by the Central, West Central, and Southwestern Regional meteorological data which is published by the *Ministry* and used for air dispersion modelling purposes.

*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, before commencement of operation of the *Equipment*, 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. procedures for identifying and recording separation distances between the *Equipment* and *Points of Reception*;
- v. procedures for identifying and recording the value of dimensions A, B, C and D as shown on Figure A.1 in Schedule A of this *Approval*, for different operating sites;
- vi. procedures for determining whether an operating site is within the *Specified Geographic Area*;
- vii. all appropriate measures to minimize noise and odorous emissions from all potential sources.

b. implement the recommendations of the *Manual*.

c. The *Company* shall ensure that the *Equipment* is not operated more than sixty (60) calendar days per year at any one site.

## 2. NOISE EMISSIONS

1. The *Company* shall, at all times, ensure that the noise emissions from the *Equipment* comply with the limits determined in accordance with *Ministry Publication NPC-300*.

## 3. TIME RESTRICTIONS

1. The *Company* shall ensure that the *Acoustic Barrier*, when required, is erected within 7 working days of start-up of the *Equipment* and until that time, the *Equipment* operations shall be restricted to the daytime hours of 7 a.m. to 7 p.m., Monday to Friday.

## 4. NOISE CONTROL MEASURES

1. The *Company* shall ensure that the *Acoustic Barrier*, when required, is implemented at all times during the operation of the *Equipment*.
2. The *Company* shall ensure that the *Acoustic Barrier*, when required, is continuous without holes, gaps or other penetrations, and having a surface mass density of at least 20 kilograms per square metre, and that it will be positioned in between the *Equipment* and the *Points of Reception* that require shielding as specified in Schedule B.
3. 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*.

## 5. MINIMUM SEPARATION DISTANCES

1. The *Company* shall maintain the minimum separation distances between the *Equipment* and the property line as specified in Table A.1 of Schedule A of this *Approval*, for the dimensions shown on Figure A.1 of Schedule A of this *Approval*.
2. The *Company* shall ensure a minimum separation distance between the *Equipment* and the nearest *Point of Reception* as specified in Schedule B of this *Approval*.

## 6. LOCATION RESTRICTIONS

1. The *Company* shall ensure that the *Plant* is not operated outside of the *Specified Geographic Area*.

## 7. FUGITIVE DUST CONTROL

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

## 8. MARKING OF PORTABLE PLANT

1. The *Company* shall post a legible sign at any site where the *Plant* is operated, 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.

## 9. 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 at each site where the *Plant* is operated.

## 10. 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 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.
- c. all records on the separation distances between the *Plant* and *Points of Reception* and between the *Plant* and the property line at each operating site.

## 11. NOTIFICATION

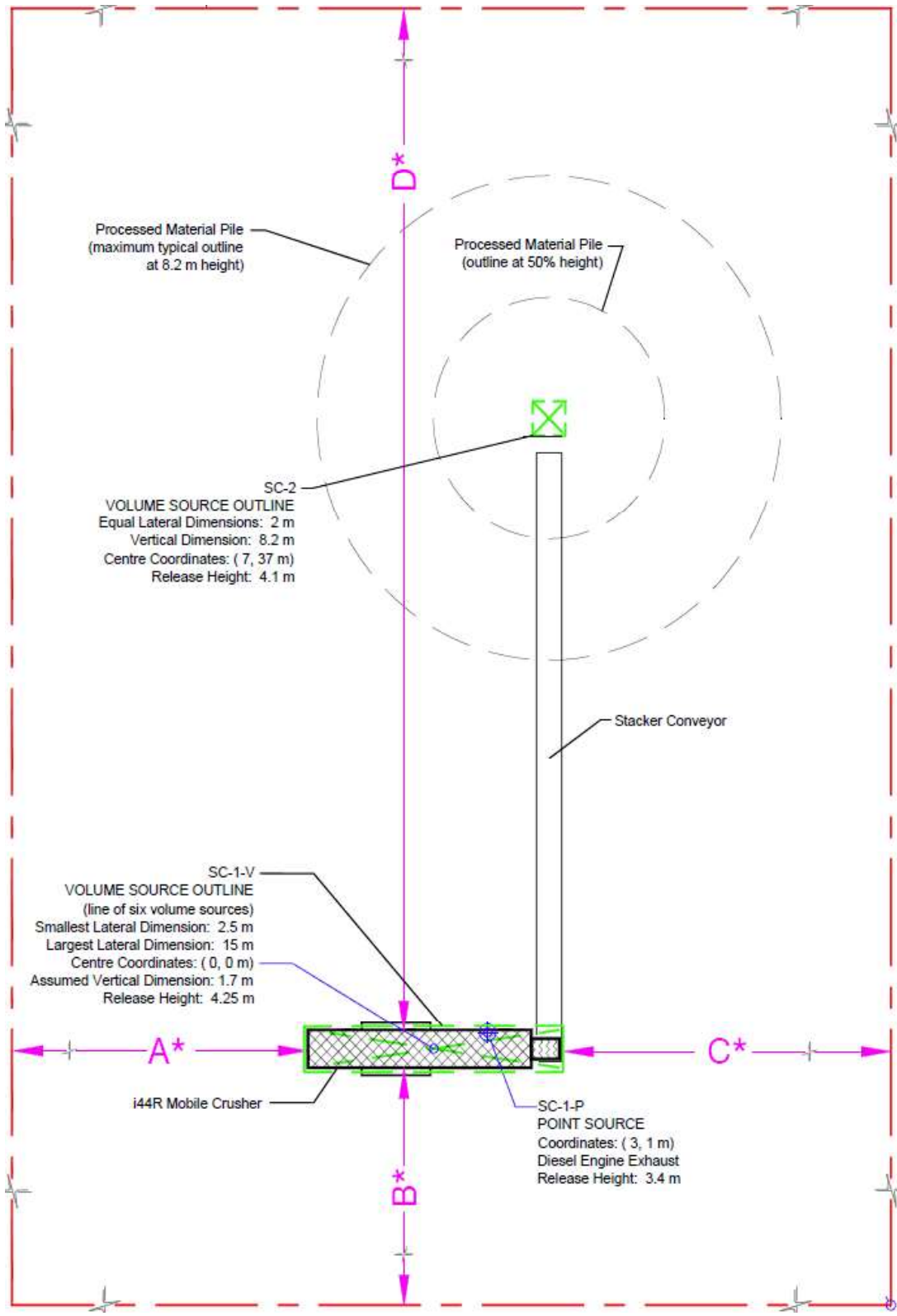
1. The *Company* shall notify the *District Manager*, in writing, at least ten (10) business days in advance of any intended location of the *Plant* at an operating site, by submitting a completed Form 1, as outlined in Schedule C of this *Approval*.
2. The *Company* shall notify the *District Manager*, 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.
3. The *Company* shall notify the *Director* and the *District Manager*, in writing, of any of the following changes within thirty (30) days 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, with a copy of the most recent declaration filed under the Business Names Act, R.S.O. 1990, c. B.17, as amended;
  - d. change of name of the corporation where the owner is or at any time becomes a corporation, with a copy of the most current information filed under the Corporations Information Act, R.S.O. 1990, c. C.39.

4. 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 11.3.

**SCHEDULE A**  
**Minimum Separation Distances to Property Line**

**Table A.1: Minimum Values of Separation Distance Dimensions**

<b>Land Use</b>	<b>Dimension A</b>	<b>Dimension B</b>	<b>Dimension C</b>	<b>Dimension D</b>
<b>Urban</b>	12 metres	19 metres	12 metres	41 metres
<b>Suburban or Forest</b>	22 metres	29 metres	22 metres	44 metres
<b>Rural</b>	67 metres	54 metres	67 metres	49 metres



**Figure A.1: Separation**



# Distance Dimensions

## SCHEDULE B

### Minimum Required Separation Distances from the *Equipment* to the *Points of Reception*

**Table B.1: Operating Scenario 1 - without *Acoustic Barrier***

<b>Publication NPC-300 Acoustical Area</b>	<b>Time of Operation</b>	<b>Sound Level Limit (dBA)</b>	<b>Minimum Separation Distance (metres)</b>
Class 1	Day (7 a.m. to 7 p.m.)	50	406
Class 1	Evening (7 p.m. to 11 p.m.)	50	406
Class 1	Night (11 p.m. to 7 a.m.)	45	652
Class 2	Day (7 a.m. to 7 p.m.)	50	406
Class 2	Evening (7 p.m. to 11 p.m.)	45	552
Class 2	Night (11 p.m. to 7 a.m.)	45	652
Class 3	Day (7 a.m. to 7 p.m.)	45	652
Class 3	Evening (7 p.m. to 11 p.m.)	40	1,035
Class 3	Night (11 p.m. to 7 a.m.)	40	1,035

**Table B.2: Operating Scenario 2 - with 4 metres high / 90 metres long *Acoustic Barrier***

<b>Publication NPC-300 Acoustical Area</b>	<b>Time of Operation</b>	<b>Sound Level Limit (dBA)</b>	<b>Minimum Separation Distance (metres)</b>
Class 1	Day (7 a.m. to 7 p.m.)	50	215
Class 1	Evening (7 p.m. to 11 p.m.)	50	215
Class 1	Night (11 p.m. to 7 a.m.)	45	369
Class 2	Day (7 a.m. to 7 p.m.)	50	215
Class 2	Evening (7 p.m. to 11 p.m.)	45	368
Class 2	Night (11 p.m. to 7 a.m.)	45	369
Class 3	Day (7 a.m. to 7 p.m.)	45	369
Class 3	Evening (7 p.m. to 11 p.m.)	40	619
Class 3	Night (11 p.m. to 7 a.m.)	40	619

**Notes**

- The *Acoustic Barrier* will have a height of not less than 4 metres above local grade and a length of not less than 90 metres such that it will break the line-of-sight to all *Points of Reception*. The *Acoustic Barrier* must be located at a distance of not more than 75 metres from the crusher.

**SCHEDULE C**  
**Notice of Relocation for Portable *Plant***

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:
- d. Land use as defined in Table A.1 of Schedule A of the Environmental Compliance Approval (ECA):
- e. Is the location within the *Specified Geographic Area* as defined in the ECA (Yes/No)?:

3. Operation

- a. Date of commencement and completion of operation: from                      to
- b. Hours of operation: from                      to
- c. Applicable operating scenarios and required separation distances as defined in Schedule A and Schedule B of the ECA:

Please attach the following:

- a. A copy of the ECA.
- b. A plot plan or sketch of the proposed location showing the following:
  - i. the entire operating site;
  - ii. distance between the *Equipment* and the nearest off-property

*Point of Reception;*

- iii. land use within the distance specified in item ii above;
- iv. the length in metres of dimensions A,B,C and D as per Figure A.1 of the ECA, at the operating site.

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

1. Conditions No. 1 to 9 are included to emphasize that the *Plant and Equipment* must be maintained and operated according to a procedure that will result in compliance with the *EPA*, the regulations and this *Approval* and to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the *Plant and Equipment*.
2. Condition No. 10 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. 11 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.

*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
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**\* 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 3rd day of December,  
2019

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

NR/  
c: District Manager, MECP London - District  
Kemmy Hunter P.Eng., Englobe Corp.