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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 3878-BKPVH9

Issue Date: January 21, 2020

Moffatt Scrap Iron & Metal Inc.  
9620 Guelph Line  
Milton, Ontario  
L0P 1B0

**Site Location:** 9620 Guelph Line, Campbellville  
Town of Milton, Regional Municipality of Halton

*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) hammer mill shredder having a maximum processing capacity of 25 tonnes per hour, discharging into the air through two (2) stacks, each having a volumetric flow rate of 8.47 cubic metres per second, an exit diameter of 1.2 metres, extending 11.2 metres above grade;
- one (1) diesel fired engine rated at 261 kilowatts serving one (1) metal baler, discharging into the air at a volumetric flow rate of 0.73 cubic metre per second, through a stack, having an exit diameter of 0.13 metre, extending 3.12 metres above grade;
- one (1) diesel fired engine rated at 142 kilowatts serving one (1) metal baler, discharging into the air at a volumetric flow rate of 0.46 cubic metre per second, through a stack, having an exit diameter of 0.13 metre, extending 3.66 metres above grade;
- one (1) diesel fired generator rated at 97 kilowatts serving one (1) vehicle depollution unit, discharging into the air at a volumetric flow rate of 0.20 cubic metre per second, through a stack, having an exit diameter of 0.08 metre, extending 2.13 metres above grade; and
- fugitive emissions from one (1) oxy-propane torch cutting process;

all in accordance with the Environmental Compliance Approval Application submitted by Moffatt Scrap Iron & Metal Inc., dated January 30, 2019 and signed by Steve Moffatt, President; the supporting information, including the Emission Summary and Dispersion Modelling Report, submitted by MTE Consultants Inc., dated January 30, 2019 and signed by Robert Reaume, P.Eng.; the Acoustic Assessment Report prepared by HGC Engineering, dated January 4, 2019 and signed by Robert D. Stevens, P.Eng.; additional information dated January 10, 2020 from Francis Knowles of MTE Consultants Inc.

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 and proposed at the *Facility*. *Acoustic Assessment Report* also means the report prepared by HGC Engineering, dated January 4, 2019 and signed by Robert D. Stevens, 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. "*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*;
5. "*Approval*" means this Environmental Compliance Approval, including the application and supporting documentation listed above;
6. "*Best Management Practices Plan*" means the document titled "Best Management Practices Plan for Fugitive Dust Control", dated September 28, 2018 and prepared by MTE Consultants Inc.;
7. "*Company*" means Moffatt Scrap Iron & Metal Inc., that is responsible for the construction or operation of the *Facility* 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 *Facility* is geographically located;
10. "*EPA*" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended ;
11. "*Equipment*" means the 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. "*Facility*" means the entire operation located on the property where the *Equipment*

is located;

13. "*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 in the design or implementation of *Noise Control Measures* for the *Facility* and/or *Equipment*;
14. "*Manual*" means a document or a set of documents that provide written instructions to staff of the *Company*;
15. "*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;
16. "*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;
17. "*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, as outlined in the *Acoustic Assessment Report*;
18. "*Process*" means the oxy-propane torching cutting process in which a propane fuel cutting torch is used to cut ferrous and non-ferrous metals;
19. "*Publication NPC-103*" means *Ministry* Publication NPC-103 "Procedures" of the Model Municipal Noise Control By-Law, Final Report, August 1978, as amended;
20. "*Publication NPC-233*" means the *Ministry* Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October 1995, as amended;
21. "*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; and
22. "*Torch Cutting Procedure*" means a document that specifies the procedure and operational conditions for undertaking the *Process*;

*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*;
2. Implement the recommendations of the *Manual*.
3. The *Company* shall conduct all oxy-propane torch cutting in accordance with the *Torch Cutting Procedure*.

## 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, at all times, ensure that the *Noise Control Measures* are properly maintained and continue to provide the acoustical performance outlined in the *Acoustic Assessment Report*.

#### 5. 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*;and
  - 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 three (3) months following the issuance of this *Approval*.
2. The *Director* may not accept the results of the *Acoustic Audit* if the requirements of *Publication NPC-233* were not followed.
3. The *Director* may require the *Company* to repeat the *Acoustic Audit* if the results of the *Acoustic Audit* are found unacceptable to the *Director*.

#### 6. FUGITIVE DUST CONTROL

1. The *Company* shall,
  - a. implement the *Best Management Practices Plan* for the control of fugitive dust emissions resulting from the operation of the *Facility*;
  - b. review and update the *Best Management Practices Plan* annually or at the direction of the *District Manager*;
  - c. record the results of each review and update the *Best Management Practices Plan* within thirty (30) days of the completion of the review;
  - d. maintain the updated *Best Management Practices Plan* at the *Facility*;and

- e. implement, at all times, the most recent version of the *Best Management Practices Plan*.
2. The *Company* shall record, either electronically or in a log book, each time a specific preventative and control measure described in the *Best Management Practices Plan* is implemented. The *Company* shall record, as a minimum:
    - a. the date when each emission control measure is installed, including a description of the control measure;
    - b. the date when each new preventative measure or operating procedure to minimize emissions is implemented, including a description of the preventative measure or operating procedure; and
    - c. the date, time of commencement, and time of completion of each periodic activity conducted to minimize emissions, including a description of the preventative measure/procedure and the name of the individual performing the periodic activity.

## **7. OXY-PROPANE TORCH CUTTING**

1. The *Company* shall submit to the *District Manager*, not later than thirty (30) days from the date of this *Approval*, a draft *Torch Cutting Procedure* for the *Process*. The *Company* shall finalize the *Torch Cutting Procedure* in consultation with the *District Manager*. The finalized *Torch Cutting Procedure* shall be implemented at the site and include, as a minimum, the following:
  - a. a description of the *Process* and associated *Equipment*;
  - b. procedures for the operation of the *Process* and *Equipment*;
  - c. atmospheric conditions for the operation of the *Process* and *Equipment*;
  - d. procedures to prevent airborne contaminant emissions from the *Process* and *Equipment*;
  - e. procedures to maintain the filter material in the *Equipment*;
  - f. training requirements for the operation of the *Process* and *Equipment*;
  - and
  - g. procedures for any record keeping activities relating to the operation of the *Process* and *Equipment*;
2. The *Company* shall,
  - a. review and update the *Torch Cutting Procedure* as necessary or at the direction of the *District Manager*;
  - b. maintain the updated *Torch Cutting Procedure* at the *Facility*; and
  - c. implement, at all times, the most recent version of the *Torch Cutting*

*Procedure.*

*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 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.
6. Condition No. 6 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*.
7. Condition No. 7 is included to emphasize that the *Equipment* and *Process* must be 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). 6306-AZ4LT2 issued on June 26, 2018**

*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
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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 21st day of January,  
2020

Jeffrey McKerrall, P.Eng.



Director  
appointed for the purposes of Part  
II.1 of the *Environmental Protection  
Act*

BR/  
c: District Manager, MECP Halton-Peel  
Robert Reaume, MTE Consultants Inc.