

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 7164-BD4PUV

Issue Date: June 30, 2020

Fednav Limited/Fednav Limitée
1000 de la Gauthetière Street West
Suite 3500
Montreal, Québec
H3B 4W5

Site Location: Federal Marine Terminal, A division of Fednav Limited
95 Flank Road, Piers 12 and 14
Hamilton City
L8L 6B6

*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) baghouse dust collector (identified as S1), to control emissions from hoppers serving a packaging/bagging operation for ferromanganese, silicomanganese, ferrochromium, and ferrosilicon alloys, complete with:
 - high efficiency cyclone installed prior to the dust collector;
 - HEPA after-filter; and;
 - carbon impregnated cellulose and synthetic filter material having a filtering area of 357 square metres and a pulse jet cleaning system, discharging into the air at a volumetric flow rate of 4.09 actual cubic metres per second, through a capped stack having an exit diameter of 0.9 metre, extending 2.5 metres above grade;
- one (1) rooftop general exhaust (identified as SESF) serving Shed E, discharging into the air at a volumetric flow rate of 21.2 actual cubic metres per second, through a vertical stack having an exit diameter of 1.5 metres, extending 1.5 metres above the roof and 12.2 metres above grade;
- one (1) rooftop general exhaust (identified as SENF) serving Shed E and used for standby purposes only, discharging into the air at a volumetric flow rate of 21.2 actual cubic metres per second, through a vertical stack having an exit diameter of 1.5 metres, extending 1.5 metres above the roof and 12.2 metres above grade;
- fugitive emissions from vessel off-loading occurring at north-end of Pier 12;
- fugitive emissions from truck loading occurring at north-end of Pier 12;

- fugitive emissions from road dust;
- fugitive emissions from maintenance welding activities;

all in accordance with the Application for Approval (Air & Noise) dated May 5, 2016 signed by Bernie Mailloux and all supporting information associated with the application, including an Emission Summary and Dispersion Modelling report prepared by LAW Consultants Ltd., dated November 2017; additional information provided via email by Ahmed Naderi / LAW Consultants Ltd. and dated August 7, 2018, August 31, 2018, January 9, 2019, September 3, 21, 24 & 26, 2019 and February 21, 2020; the additional information provided via email by Carolyn Ropp / WSP and dated December 3, 2018; the *Acoustic Assessment Report* prepared by LAW Consultants Limited, dated April 23, 2020 and signed by Ahmed Naderi, P.Eng.; and all other documentation associated with the application.

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

1. "*Abatement Plan*" means the document titled "Abatement Plan for Particulate Matter Mitigation", dated November 2017 and prepared by the *Company*, that includes the identification and assessment of methods to reduce or prevent emissions of particulate matter from operations at the *Facility*, and that includes, but is not limited to, methods such as pollution prevention, process modification, alternative production methods, product modification, product substitution, and/or add-on controls;
2. "*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 LAW Consultants Limited, dated April 23, 2020 and signed by Ahmed Naderi, P.Eng.;
3. "*Approval*" means this Environmental Compliance Approval, including the application and supporting documentation listed above;
4. "*Best Management Practices Plan*" means the document titled "Best Management Practices Plan for the Control of Fugitive Dust Emissions", dated November 2017 and prepared by LAW Consultants Ltd.;
5. "*Company*" means Fednav Limited/Fednav Limitée, that is responsible for the construction or operation of the *Facility* and includes any successors and assigns;
6. "*District Manager*" means the District Manager of the appropriate local district

- office of the *Ministry*, where the *Facility* is geographically located;
7. "*EPA*" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended ;
 8. "*Equipment*" means the off-loading operations, vehicle routes, and equipment and/or 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*;
 9. "*Facility*" means the entire operation located on the property where the *Equipment* is located;
 10. "*Manual*" means a document or a set of documents that provide written instructions to staff of the *Company*;
 11. "*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;
 12. "*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 the *Acoustic Assessment Report*;
 13. "*Publication NPC-233*" means the *Ministry* Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October, 1995, as amended;
 14. "*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. 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 ensure the off-loading operations are restricted to the daily rates listed in Schedule A of this *Approval*.
 3. The *Company* shall ensure vehicle routes are restricted to the time periods and number of trips listed in Schedule B of this *Approval*.
 4. The *Company* shall implement the *Abatement Plan* for the mitigation of particulate matter emissions.

2. FUGITIVE DUST CONTROL

1. The *Company* shall implement the *Best Management Practices Plan* 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*.

3. 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. a record of the daily maximum amount processed for all processes listed in Schedule A;
 - b. all records on the maintenance, repair and inspection of the *Equipment*; and
 - c. 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.

4. 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.

5. NOISE

1. The *Company* shall:
 - a. implement by not later than May 31, 2021, the *Noise Control Measures* as outlined in the *Acoustic Assessment Report*;
 - 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 restrict the operations of the bulk cargo "C" trucks, bulk cargo "D" trucks and bulk alloy material trucks to the day-time hours of 7 a.m. to 7 p.m.
3. The *Company* shall restrict the operations of the cargo steel trucks to the day-time and evening hours of 7 a.m. to 11 p.m.
4. The *Company* shall limit truck arrivals and departures during the day-time hours of 7 a.m. to 7 p.m., in accordance with the following:
 - a. a maximum of eight (8) non-alloy bulk cargo "A" trucks per sixty (60) minute period;
 - b. a maximum of seven (7) non-alloy bulk cargo "B" trucks per sixty (60) minute period;
 - c. a maximum of six (6) non-alloy bulk cargo "C" trucks per sixty (60) minute period;
 - d. a maximum of six (6) non-alloy bulk cargo "D" trucks per sixty (60) minute period;

- e. a maximum of twenty-two (22) cargo steel trucks per sixty (60) minute period; and
 - f. a maximum of three (3) bulk alloy material trucks per sixty (60) minute period.
5. The *Company* shall limit truck arrivals and departures during the evening-time hours of 7 p.m. to 11 p.m., in accordance with the following:
- a. a maximum of eight (8) non-alloy bulk cargo "A" trucks per sixty (60) minute period;
 - b. a maximum of seven (7) non-alloy bulk cargo "B" trucks per sixty (60) minute period; and
 - c. a maximum of seventeen (17) cargo steel trucks per sixty (60) minute period.
6. The *Company* shall limit truck arrivals and departures during the night-time hours of 11 p.m. to 7 a.m., in accordance with the following:
- a. a maximum of eight (8) non-alloy bulk cargo "A" trucks per sixty (60) minute period; and
 - b. a maximum of seven (7) non-alloy bulk cargo "B" trucks per sixty (60) minute period.

SCHEDULE A

Process	Maximum amount processed (metric tonnes per day)
Alloy vessel off-loading	3,000
Non-alloy bulk cargo "A" truck loading	5,760
Ferromanganese alloy truck off-loading in Shed E	490
Ferrochromium alloy truck off-loading in Shed E	175

SCHEDULE B

Vehicle Route	Operating Time Period	Maximum Number of Vehicle Round-Trips per Day
(R1) Alloy truck off-loading, Shed E	all year	19
(R3) Alloy vessel front-end loader off-loading	Spring, Summer, Autumn	200
(R4) Non-alloy bulk cargo "A" truck hauling	all year	180

(R5) Cargo steel truck hauling, Pier 12/14	all year	209
(R6) Cargo steel truck hauling - Pier 12 west of slip	all year	19
(R7) Cargo steel truck hauling - Spine Road and west of slip	all year	31
(R8) Non-alloy bulk cargo "B" truck hauling	all year	160
(R9) Front-end loader route between Shed E and Shed 2	all year	10
(R10) Non-alloy bulk cargo "C" truck hauling	all year	48
(R11) Non-alloy cargo "D" truck hauling	all year	50
(R12) Front-end loader route, Pier 12	all year	20

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

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

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 6291-6XWKV4 issued on March 19, 2007.

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*		The Minister of the Environment, Conservation and Parks		The Director appointed for the purposes of Part II.1 of the Environmental Protection Act
Environmental Review Tribunal		777 Bay Street, 5th Floor	AND	Ministry of the Environment, Conservation and Parks
655 Bay Street, Suite 1500	AND	Toronto, Ontario		135 St. Clair Avenue West, 1st Floor
Toronto, Ontario		M7A 2J3		Toronto, Ontario
M5G 1E5				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 30th day of June, 2020

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

MS/
c: District Manager, MECP Hamilton - District
Ahmed Naderi, M.Eng, LAW Consultants Ltd.