

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 7770-BSKPRS

Issue Date: November 17, 2020

Broadway Metals Inc.
3002 Broadway Street, Elmira
Rural Route No. 4
Woolwich, Ontario
N3B 2Z3

Site Location: Broadway Metals
3002 Broadway Street, Elmira
Woolwich Township, Regional Municipality of Waterloo, Ontario

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:

A metal fabrication facility consisting of the following equipment and emission sources:

- two (2) laser plasma cutters designated as Mazak Optiplex 3015 Fiber laser cutter and Trumpf Trulaser 3030 Fiber laser cutter, each equipped with a filtration system to have a minimum control efficiency of 99.5%, each directly discharging into the workshop, and finally discharging into the air through two general exhaust fans EX1 and EX2;
- seven (7) welding stations, using a maximum total welding wire at 37.9 kilograms per hour, equipped with fume extractors air filtration system, directly discharging into the welding area of the workshop, and finally discharging into the air through two general exhaust fans EX1 and EX2;
- one (1) natural gas fired generator set rated at 270 kW, designated as Genset 1, discharging into the air at an actual volumetric flow rate at 0.63 cubic metre per second at a temperature of 520 degree Celsius, through a stack, having an exit diameter 0.102 metre and extending 8.2 metres above the grade;
- one (1) natural gas fired generator set rated at 43.8 kW, designated as Genset 2, discharging into the air through a stack, having an exit diameter 0.102 metre and extending 8.2 metres above the grade;
- fugitive emissions resulting from the delivery and transfer of raw materials associated with the metal fabrication operations;

all in accordance with the application for an Environmental Compliance Approval (Air and Noise) submitted by Broadway Metals Inc., dated October 17, 2019, and signed by Enoch Martin, Owner; Emission Summary and Dispersion Modelling Report prepared by Enviro-Stewards Inc., dated October 2019; revised Emission Summary and

Dispersion Modelling Report prepared by Enviro-Stewards Inc., dated March 2020; Acoustic Assessment Report prepared by Antje Hurlburt of Hurlburt Environmental Engineering, dated October 30, 2020; and all the information associated with 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*, by Hurlburt Environmental Engineering and dated October 30, 2020 submitted in support of the application, that documents all sources of noise emissions and *Noise Control Measures* present at the *Facility*;
2. "*Approval*" means this Environmental Compliance Approval, including the application and supporting documentation listed above;
3. "*Company*" means Broadway Metals Inc. that is responsible for the construction or operation of the *Facility* and includes any successors and assigns;
4. "*Director*" means any person appointed in writing by the Minister of the Environment pursuant to section 5 of the *EPA* as a *Director* for the purposes of section 9 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 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 most current Emission Summary and Dispersion Modelling Report that describes the *Facility*. The *ESDM Report* is based on the *Original ESDM Report* and is updated after the issuance of this *Approval* in accordance with section 26 of *O. Reg. 419/05* and the *Procedure Document*;
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 Abatement Action Plan*" means the noise abatement program developed by the *Company*, submitted to the *Director* and *District Manager* and approved by the *Director*, designed to achieve compliance with the sound level limits set in *Ministry Publication NPC-300*. It also means the Noise Abatement Action Plan from the *Acoustic Assessment Report* dated October 30, 2020, prepared by Antje Hurlburt of Hurlburt Environmental Engineering;
14. "*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, described in the *Company's* application, and in the supporting documentation referred to herein, including the *Acoustic Assessment Report*, to the extent approved by this *Approval*;
15. "*Pre-Test Plan*" means a plan for the *Source Testing* including the information required in Section 5 of the *Source Testing Code*;
16. "*Procedure Document*" means *Ministry* guidance document titled "Procedure for Preparing an Emission Summary and Dispersion Modelling Report" dated March 2018, as amended;
17. "*Publication NPC-233*" means the *Ministry* Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October, 1995 as amended;
18. "*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;
19. "*Schedules*" means the following schedules attached to this *Approval* and forming part of this *Approval* namely:
 - Schedule A - Emission Limit for *Targeted Sources*
 - Schedule B - *Source Testing* Procedures
20. "*Source Testing*" means site-specific sampling and testing to measure emissions resulting from operating the Genset 1 under operating conditions that will derive an emission rate that, for the relevant averaging period of the contaminant, is at

least as high as the maximum emission rate that the source of contaminant is reasonably capable of, within the approved operating range of the Genset 1 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 Sources*" means the sources listed in Schedule A of this *Approval*;
23. "*Test Contaminant*" means the contaminant listed in Schedule A of this *Approval*.

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 dust emissions from all potential sources;
 - 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 only operate one (1) of the two (2) generator sets approved in this *Approval* at any given time.
3. The *Company* shall ensure that the emissions of the *Test Contaminant* in the gases emitted from the stacks of the *Targeted Sources* shall not be greater than the emission limit specified in Schedule A of this *Approval*.

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 ensure, subsequent to the completion of the *Noise Abatement Action Plan*, that the noise emissions from the *Facility* comply with the limits set out in *Ministry Publication NPC-300*.

5. NOISE ABATEMENT ACTION PLAN

1. The *Company* shall:
 - a. fully implement the *Noise Abatement Action Plan* specified in the *Acoustic Assessment Report*, not later than five (5) years after the date of issuance of this *Approval*;
 - b. ensure that the *Noise Control Measures* are properly maintained and continue to provide the acoustical performance outlined in the *Acoustic Assessment Report*.

6. SOURCE TESTING

1. The *Company* shall perform *Source Testing* in accordance with the procedures in Schedule B to determine the rate of emissions of the *Test Contaminant* from the Genset 1 included in this *Approval*.

SCHEDULE A

Emission Limit for *Targeted Sources*

Targeted Sources	Test Contaminants	Maximum Limit
Genset 1 or Genset 2	Nitrogen Oxides	0.4 kg/MWh

In the above table:

- "kg/MWh" means kilogram per megawatt hour.

SCHEDULE B

Source Testing Procedures

1. The *Company* shall submit, at least sixty (60) days prior to the scheduled date of the *Source Testing* to the *Manager* a *Pre-Test Plan* for the *Source Testing* required under this *Approval*. The *Company* shall finalize the *Pre-Test Plan* in consultation with the *Manager*.
2. The *Company* shall not commence the *Source Testing* required under this *Approval* until the *Manager* has approved the *Pre-Test Plan*.
3. The *Company* shall complete the *Source Testing* not later than six (6) months after the date of this *Approval*, or three (3) months after the *Manager* has approved the *Pre-Test Plan*, whichever occurs later.
4. 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*.
5. The *Company* shall submit a report (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:
 1. an executive summary;
 2. an identification of the applicable North American Industry Classification System code (NAICS) for the *Facility*;
 3. records of operating conditions at the time of *Source Testing*, including but not limited to the following:

- a. equipment operating rate as a percentage of maximum capacity;
 4. results of *Source Testing*, including the emission rate, emission concentration, and relevant emission factor of the *Test Contaminant* from the Genset 1;
 5. a tabular comparison of calculated emission rates and emission factors based on *Source Testing* results for the *Test Contaminant* to relevant estimates described in the *ESDM Report*.
6. The *Director* may not accept the results of the *Source Testing* if:
1. the *Source Testing Code* or the requirement of the *Manager* were not followed;
 2. the *Company* did not notify the *Manager*, the *District Manager* and *Director* of the *Source Testing*; or
 3. the *Company* failed to provide a complete report on the *Source Testing*.
7. If the *Director* does not accept the result of the *Source Testing*, the *Director* may require re-testing. If re-testing is required, the *Pre-Test Plan* strategies may need to be revised and submitted to the *Manager* for approval. The actions to address the reason(s) of the *Source Testing* results not accepted by the *Director* must be included in the revision.
8. If the *Source Testing* results are higher than the emission estimates in the *Company's ESDM Report*, the *Company* shall update their *ESDM Report* in accordance with Section 26 of *O. Reg. 419/05* with the results 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*.

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

1. Condition No. 1.1 is included to emphasize that the *Equipment* or the generator sets 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. 1.2 and 1.3 and 4 are included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the

operation of the *Facility* or the generator sets.

3. 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.
4. 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.
5. Condition No. 5 is included to require the *Company* to implement a *Noise Abatement Action Plan* designed to ensure that the noise emissions from the *Facility* will be in compliance with applicable limits set in the *Ministry's* noise guidelines.
6. Condition No. 6 is included to require the *Company* to gather accurate information so that the environmental impact and subsequent compliance with the *EPA*, the regulations and this *Approval*.

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 5430-7HWTH5 issued on November 26, 2008.

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 <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 17th day of
November, 2020

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

JL/
c: District Manager, MECP Guelph District Office
Aleks Poldma, Enviro-Stewards Inc.