

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 4799-BMEPMU

Issue Date: November 4, 2020

Noah Martin  
4266 Lobsinger Line  
Wellesley, Ontario  
N0B 2M0

**Site Location:** 712359 Sideroad 71  
Southgate Township, County of Grey  
N0C 1B0

*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) propane-fired generator set, powered by a 45 kilowatt engine, as the main power supply to the shop area, discharging to the air at a maximum volumetric flow rate of 0.15 actual cubic metre per second, through a stack having an exit diameter of 0.064 metre and extending 2.4 metres above grade; and
- 
- one (1) exhaust fan serving welding operations, discharging to the air at a maximum volumetric flow rate of 8.5 cubic metres per second, through a stack having an exit diameter of 0.91 metre and extending 3.7 metres above grade or internally through a baghouse dust collector;

all in accordance with the Environmental Compliance Approval Application submitted by Noah Martin, dated December 13, 2019 and signed by Noah Martin and all supporting information associated with the application including the Emission Summary and Dispersion Modelling Report provided by Enviro-Stewards Inc, dated December 13, 2019 signed by Darrin Kinsey, additional information provided by Darrin Kinsey in an email dated March 26, 2020, the Acoustic Assessment Report prepared by Hurlburt Environmental Engineering, dated November 29, 2019 and signed by Antje Hurlburt, P.Eng., and the additional information provided by Antje Hurlburt of Hurlburt Environmental Engineering in the emails dated October 21, 2020 and September 14, 2020.

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

1. "*Approval*" means this Environmental Compliance Approval, including the application and supporting documentation listed above;
2. "*Company*" means **Noah Martin**, that is responsible for the construction or operation of the *Facility* and includes any successors and assigns;
3. "*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*;
4. "*District Manager*" means the District Manager of the appropriate local district office of the *Ministry*, where the *Facility* is geographically located;
5. "*EPA*" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;
6. "*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*;
7. "*ESDM Report*" means the Emission Summary and Dispersion Modelling Report which was prepared in accordance with section 26 of *O. Reg. 419/05* and the *Procedure Document* by Darrin Kinsey, Enviro-Stewards Inc. and dated December 13, 2019 submitted in support of the application, and includes any changes to the report made up to the date of issuance of this *Approval*;
8. "*Facility*" means the entire operation located on the property where the *Equipment* is located;
9. "*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*;
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. "*Pre-Test Plan*" means a plan for the *Source Testing* including the information required in Section 5 of the *Source Testing Code*;
13. "*Procedure Document*" means *Ministry* guidance document titled "Procedure for Preparing an Emission Summary and Dispersion Modelling Report" dated March 2018, 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;

15. "*Source Testing*" means site-specific sampling and testing to measure emissions resulting from operating the *Targeted Source* 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 *Targeted Source* which satisfies paragraph 1 of subsection 11(1) of O. Reg. 419/05;
16. "*Source Testing Code*" means the Ontario Source Testing Code, dated June 2010, prepared by the *Ministry*, as amended;
17. "*Targeted Source*" means propane-fired generator set; and
18. "*Test Contaminant*" means Nitrogen Oxides (expressed as nitrogen dioxide equivalent).

*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 ensure that the emissions of the *Test Contaminant* in the gases emitted from the stack of the *Targeted Source* shall not be greater than the emission limits specified in Schedule A of this *Approval*.
2. 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*.
3. The *Company* shall restrict the operation of the *Equipment* to the daytime hours from 7 a.m. to 7 p.m.

### **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. emergency 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*.

### 3. **SOURCE TESTING**

1. The *Company* shall perform *Source Testing* in accordance with the procedures in Schedule B to determine the rates of emissions of the *Test Contaminants* from the *Targeted Source*.

### 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*; 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.

### 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; and
  - b. the time and date of the incident to which the complaint relates.

## **SCHEDULE A**

### **Maximum Emission Limits**

Contaminant	Maximum Emission Limit
Nitrogen Oxides	0.40 kg/MWh (1)

(1) "kg/MWh" means kilogram per megawatt hour.

## SCHEDULE B

### Source Testing Procedures

1. The *Company* shall submit, not later than three (3) months after the date of this *Approval*, 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 three (3) months after the *Manager* has approved the *Pre-Test Plan*.
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. 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. operating information of the *Targeted Source*, including but not limited to the electrical power output in absolute quantity and as a percentage of maximum capacity;
  4. results of *Source Testing*, including the emission rate, emission concentration, and relevant emission factor of the *Test Contaminants* from the *Targeted Source*; and
  5. a tabular comparison of calculated emission rates 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 need to be revised and submitted to the *Manager* for approval. The actions taken to minimize the possibility of the *Source Testing* results not being accepted by the *Director* must be noted in the revised *Pre-Test Plan* submission to the *Manager*.

8. If the *Source Testing* results indicate the calculated emission rates are higher than the original emission estimates, the *Company* shall update their *ESDM Report* in accordance with Section 26 of *O. Reg. 419/05* and the *Procedure Document* with the results from the *Source Testing*, not later than three (3) months after the submission of the *Source Testing* report and make these records available for review by staff of the *Ministry* upon request.

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

1. Conditions No. 1.1 and 1.2 are included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the *Facility*.
2. Condition No. 1.3 is included to ensure that operation of the *Equipment* is not extended beyond the stated hours to prevent an adverse effect resulting from the operation of the *Equipment*.
3. Condition No. 2 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*.
4. Condition No. 3 is included to require the *Company* to gather accurate information so that compliance with the operating requirements of this *Approval* can be verified.
5. Condition No. 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.

6. Condition No. 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.

*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 4th day of November,  
2020

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

KS/  
c: District Manager, MECP Owen Sound  
Darrin Kinsey, Enviro-Stewards