

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 8862-BXJ5XS

Issue Date: February 5, 2021

R. W. Tomlinson Limited
100 Citigate Drive
Ottawa, Ontario
K2J 6K7

Site Location: Mobile Facility

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) mobile track crushing plant, used to process aggregate material, having a maximum processing rate of 680 tonnes per hour, consisting of the following equipment and emission sources:

- one (1) KPI-JCI Jaw Crusher;
- conveyors;
- one (1) diesel generator having a power rating of 328 kilowatts;
- one (1) diesel generator, having a power rating of 60 kilowatts;
- fugitive emissions resulting from the delivery, storage, and transfer of raw materials associated with the crushing and screening operations.

one (1) mobile Premiertrack jaw crushing plant, brought to the site on as-needed basis, having a maximum processing rate of 300 tonnes per hour, consisting of the following equipment and emission sources:

- one (1) Powerscreen Jaw Crusher;
- conveyors;
- one (1) diesel generator, having a power rating of 287 kilowatts;
- one (1) diesel generator, having a power rating of 60 kilowatts;
- fugitive emissions resulting from the delivery, storage, and transfer of raw materials associated with the crushing and screening operations.

all in accordance with the application for an Environmental Compliance Approval (Air and Noise) submitted by R. W. Tomlinson Limited, dated February 21, 2020, and signed by Craig Bellinger, Environment and Land Project Manager; Emission Summary and Dispersion Modelling Report prepared by Golder Associates Ltd., dated February

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* 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 Freefield Ltd., dated November 29, 2019 and signed by Michael Wells and Hugh Williamson;
2. "*Acoustic Barrier*" means a barrier or berm positioned such that it completely interrupts the line of sight between the *Equipment* 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 metre;
3. "*Approval*" means this Environmental Compliance Approval, including the application and all supporting documentation;
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*:
 - a. sound levels characteristic of *Class 1* during daytime (07:00 to 19:00 or to 23:00 hours); and
 - b. 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:
 - a. a small community;
 - b. agricultural area;
 - c. a rural recreational area such as a cottage or a resort area; or
 - d. a wilderness area;
7. "*Company*" means R. W. Tomlinson Limited that is responsible for the construction or operation of the *Plant* and includes any successors and assigns;
8. "*Director*" means any *Ministry* employee appointed 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*, at the geographic location where the *Plant* is operated;
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 referred to herein, to the extent approved by this *Approval*;
12. "*Manual*" means a document or a set of documents that provides written instructions to staff of the *Company*;
13. "*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;
14. "*Plant*" means the entire portable crushing operations, incorporating the *Equipment*;
15. "*Point of Reception*" means a Point of Reception as defined in *Publication NPC-300*;
16. "*Publication NPC-233*" means *Ministry* Publication NPC-233 "Information to be Submitted for Approval of Stationary Sources of Sound" , October 1995;
17. "*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;
18. "*Sensitive Receptor*" means any location where routine or normal activities occurring at reasonably expected times would experience adverse effect(s) from discharges from the *Plant* to the atmosphere, including one or a combination of:
 - a. private residences or public facilities where people sleep (e.g.: single and multi-unit dwellings, nursing homes, hospitals, trailer parks, camping grounds, etc.),
 - b. institutional facilities (e.g.: schools, churches, community centres, day care centres, recreational centres, etc.),
 - c. outdoor public recreational areas (e.g.: trailer parks, play grounds, picnic areas, etc.), and
 - d. other outdoor public areas where there are continuous human activities (e.g.: commercial plazas and office buildings).

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. **Noise Emissions**

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

2. **Time Restrictions**

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

3. **Minimum Separation Distance to the Nearest *Sensitive Receptor***

1. The *Company* shall ensure a minimum separation distance is maintained between the boundary of the *Plant* and the nearest *Sensitive Receptor* as specified in **Schedule "B"**.

4. **Minimum Separation Distance(s) to the Nearest *Point of Reception***

1. The *Company* shall ensure a minimum separation distance is maintained between the *Plant* and the nearest *Point of Reception* as specified in **Schedule "C"**.

5. **Operation and Maintenance *Manual***

1. The *Company* shall ensure that the *Plant/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 *Plant/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 *Plant/Equipment*; and
 - iv. all appropriate measures to minimize noise and fugitive 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*.

6. FUGITIVE DUST CONTROL

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

7. Marking of Portable *Plant*

1. The *Company* shall post a legible sign 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.

8. 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 for inspection by a Provincial Officer at each site where the *Plant* is operated.

9. 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 on the daily operation of the *Plant/Equipment*, including:
 - i. daily production rate;
 - ii. daily start-up and shut-down times of the *Plant/Equipment*;
 - c. all records of any upset conditions associated with the operation of the *Plant/Equipment*;
 - d. all records on the environmental complaints, including:
 - i. a description, time, date and location of each incident;
 - ii. operating conditions (e.g. upset conditions, etc.) at the time of the incident;

- iii. wind direction and other weather conditions at the time of the incident;
- iv. the name(s) of *Company* personnel responsible for handling the incident;
- v. the cause of the incident;
- vi. the *Company* response to the incident; and
- vii. a description of the measures taken to address the cause of the incident and to prevent a similar occurrence in the future, and the outcome of the measures taken.

10. 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;
 - b. the time, date and location of the incident;
 - c. the wind direction and other weather conditions at the time of the incident; and
 - d. the name(s) of *Company* personnel responsible for handling the incident.

11. Change of Owner

1. 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, and a copy of the most recent declaration filed under the Business Names Act, R.S.O. 1990, c. B.17, as amended, shall be included in the notification;
 - d. change of name of the corporation where the Owner is or at any time becomes a corporation, and a copy of the most current information filed under the Corporations Information Act, R.S.O. 1990, c. C.39, as amended, shall be included in the notification.
2. 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 12.1.

12. Relocation

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 each operating site, by submitting a completed Form 1, outlined in **Schedule "A"**.

SCHEDULE "A"

NOTICE OF RELOCATION FOR PORTABLE EQUIPMENT

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:
3. Operation
 - a. Date of commencement and completion of operation: from to
 - b. Hours of operation: from to
 - c. Identification of the *Plant* and the operating scenario as defined in **Schedule "B"** and **Schedule "C"** of this *Approval*
 - d. Maximum processing rate (tonnes/hour):
 - e. Type of material to be processed:

Please attach the following:

1. A copy of the *Approval*.
2. A plot plan or sketch of the proposed location showing the following:
 - a. the entire operating site
 - b. distance between the *Equipment* and the nearest off-property *Point of*

Reception

c. distance between the *Equipment* and the nearest *Sensitive Receptor*

d. land use within 500 metres from the *Equipment*.

SCHEDULE "B"

Minimum Required Separation Distances from Sensitive Receptors

Scenario	Ministry District /Area	Land use	Minimum Setback Distance (m) Operating The Track Crushing Plant only	Minimum Setback Distance (m) Operating Both the Track Crushing Plant and the Premiertrack Crushing Plant
1	Kingston Cornwall	Urban/ Forest	200	200
		Suburban	200	250
		Crops	350	550
2	Thunder Bay Kenora	Urban/ Forest	200	200
		Suburban	200	250
		Crops	400	550
3	Ottawa Peterborough Belleville	Urban/ Forest	200	200
		Suburban	300	350
		Crops	500	650
4	Sudbury North Bay Sault Ste. Marie Timmins	Urban/ Forest	200	200
		Suburban	300	400
		Crops	550	750
5	Toronto York-Durham Halton-Peel Barrie Owen Sound	Urban/ Forest	200	200
		Suburban	300	350
		Crops	500	700
6	London	Urban/	200	200

	Windsor	Forest		
	Sarnia	Suburban	350	450
	Hamilton Niagara Guelph	Crops	650	800

SCHEDULE "C"

Minimum Required Separation Distances from the *Points of Reception* at 4.5 metres façade, KPI-JCI Jaw Crusher + associated equipment, Unshielded

Time of Day	Class 1	Class 2	Class 3
Daytime Operations (between 07:00 and 19:00)	1106 metres	929 metres	1174 metres
Evening Operations (between 19:00 and 23:00)	1106 metres	929 metres	1714 metres
Night Operations (between 23:00 and 07:00)	1648 metres	1382 metres	1714 metres

Minimum Required Separation Distances from the *Points of Reception* at 4.5 metres façade, KPI-JCI Jaw Crusher + associated equipment, *Acoustic Barrier* height at minimum 3 metres and distance to *Equipment* at maximum 10 metres

Time of Day	Class 1	Class 2	Class 3
Daytime Operations (between 07:00 and 19:00)	733 metres	616 metres	812 metres
Evening Operations (between 19:00 and 23:00)	733 metres	616 metres	1208 metres
Night Operations (between 23:00 and 07:00)	1127 metres	946 metres	1208 metres

Minimum Required Separation Distances from the *Points of Reception* at 4.5 metres façade, KPI-JCI Jaw Crusher + associated equipment, *Acoustic Barrier* height at minimum 6 metres and distance to *Equipment* at maximum 10 metres

Time of Day	Class 1	Class 2	Class 3
Daytime Operations (between 07:00 and 19:00)	321 metres	264 metres	427 metres
Evening Operations (between 19:00 and 23:00)	321 metres	264 metres	788 metres

Night Operations (between 23:00 and 07:00)	676 metres	516 metres	788 metres
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Minimum Required Separation Distances from the *Points of Reception* at 4.5 metres façade, KPI-JCI Jaw Crusher + associated equipment, *Acoustic Barrier* height at minimum 10 metres and distance to *Equipment* at maximum 10 metres

Time of Day	Class 1	Class 2	Class 3
Daytime Operations (between 07:00 and 19:00)	179 metres	168 metres	255 metres
Evening Operations (between 19:00 and 23:00)	179 metres	168 metres	427 metres
Night Operations (between 23:00 and 07:00)	342 metres	286 metres	427 metres

Minimum Required Separation Distances from the *Points of Reception* at 4.5 metres façade, KPI-JCI Jaw Crusher + associated equipment, *Acoustic Barrier* height at minimum 3 metres and distance to *Equipment* at maximum 20 metres

Time of Day	Class 1	Class 2	Class 3
Daytime Operations (between 07:00 and 19:00)	734 metres	618 metres	815 metres
Evening Operations (between 19:00 and 23:00)	734 metres	618 metres	1209 metres
Night Operations (between 23:00 and 07:00)	1127 metres	951 metres	1209 metres

Minimum Required Separation Distances from the *Points of Reception* at 4.5 metres façade, KPI-JCI Jaw Crusher + associated equipment, *Acoustic Barrier* height at minimum 6 metres and distance to *Equipment* at maximum 20 metres

Time of Day	Class 1	Class 2	Class 3
Daytime Operations (between 07:00 and 19:00)	544 metres	424 metres	660 metres
Evening Operations (between 19:00 and 23:00)	544 metres	424 metres	1143 metres
Night Operations (between 23:00 and 07:00)	1040 metres	829 metres	1143 metres

Minimum Required Separation Distances from the *Points of Reception* at 4.5 metres façade, KPI-JCI Jaw Crusher + associated equipment, *Acoustic Barrier* height at minimum 10 metres and distance to *Equipment* at maximum 20 metres

Time of Day	Class 1	Class 2	Class 3
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Daytime Operations (between 07:00 and 19:00)	217 metres	199 metres	313 metres
Evening Operations (between 19:00 and 23:00)	217 metres	199 metres	575 metres
Night Operations (between 23:00 and 07:00)	471 metres	371 metres	575 metres

Minimum Required Separation Distances from the *Points of Reception* at 4.5 metres façade, KPI-JCI Jaw Crusher + Powerscreen Jaw Crusher, Unshielded

Time of Day	Class 1	Class 2	Class 3
Daytime Operations (between 07:00 and 19:00)	1347 metres	1111 metres	1425 metres
Evening Operations (between 19:00 and 23:00)	1347 metres	1111 metres	2078 metres
Night Operations (between 23:00 and 07:00)	2005 metres	1662 metres	2078 metres

Minimum Required Separation Distances from the *Points of Reception* at 4.5 metres façade, KPI-JCI Jaw Crusher + Powerscreen Jaw Crusher, *Acoustic Barrier* height at minimum 3 metres and distance to *Equipment* at maximum 10 metres

Time of Day	Class 1	Class 2	Class 3
Daytime Operations (between 07:00 and 19:00)	890 metres	737 metres	969 metres
Evening Operations (between 19:00 and 23:00)	890 metres	737 metres	1457 metres
Night Operations (between 23:00 and 07:00)	1357 metres	1131 metres	1457 metres

Minimum Required Separation Distances from the *Points of Reception* at 4.5 metres façade, KPI-JCI Jaw Crusher + Powerscreen Jaw Crusher, *Acoustic Barrier* height at minimum 6 metres and distance to *Equipment* at maximum 10 metres

Time of Day	Class 1	Class 2	Class 3
Daytime Operations (between 07:00 and 19:00)	456 metres	351 metres	563 metres
Evening Operations (between 19:00 and 23:00)	456 metres	351 metres	1064 metres
Night Operations (between 23:00 and 07:00)	941 metres	696 metres	1064 metres

07:00)			
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Minimum Required Separation Distances from the *Points of Reception* at 4.5 metres façade, KPI-JCI Jaw Crusher + Powerscreen Jaw Crusher, *Acoustic Barrier* height at minimum 10 metres and distance to *Equipment* at maximum 10 metres

Time of Day	Class 1	Class 2	Class 3
Daytime Operations (between 07:00 and 19:00)	220 metres	198 metres	316 metres
Evening Operations (between 19:00 and 23:00)	220 metres	198 metres	547 metres
Night Operations (between 23:00 and 07:00)	451 metres	360 metres	547 metres

Minimum Required Separation Distances from the *Points of Reception* at 4.5 metres façade, KPI-JCI Jaw Crusher + Powerscreen Jaw Crusher, *Acoustic Barrier* height at minimum 3 metres and distance to *Equipment* at maximum 20 metres

Time of Day	Class 1	Class 2	Class 3
Daytime Operations (between 07:00 and 19:00)	878 metres	738 metres	969 metres
Evening Operations (between 19:00 and 23:00)	878 metres	738 metres	1453 metres
Night Operations (between 23:00 and 07:00)	1368 metres	1132 metres	1453 metres

Minimum Required Separation Distances from the *Points of Reception* at 4.5 metres façade, KPI-JCI Jaw Crusher + Powerscreen Jaw Crusher, *Acoustic Barrier* height at minimum 6 metres and distance to *Equipment* at maximum 20 metres

Time of Day	Class 1	Class 2	Class 3
Daytime Operations (between 07:00 and 19:00)	740 metres	563 metres	862 metres
Evening Operations (between 19:00 and 23:00)	740 metres	563 metres	1419 metres
Night Operations (between 23:00 and 07:00)	1311 metres	1048 metres	1419 metres

Minimum Required Separation Distances from the *Points of Reception* at 4.5 metres façade, KPI-JCI Jaw Crusher + Powerscreen Jaw Crusher, *Acoustic Barrier* height at minimum 10 metres and distance to *Equipment* at maximum 20 metres

Time of Day	Class 1	Class 2	Class 3
Daytime Operations (between 07:00 and	300 metres	245 metres	410 metres

19:00)			
Evening Operations (between 19:00 and 23:00)	300 metres	245 metres	804 metres
Night Operations (between 23:00 and 07:00)	659 metres	493 metres	804 metres

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

1. Conditions No. 1 to 8, inclusive, are included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the Plant/Equipment and to emphasize that the Plant/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. 9 is included to require the *Company* to keep records and to provide information to the *Ministry* so that compliance with the *EPA*, the regulations and this *Approval* can be verified.
3. Conditions No. 10 to 12, inclusive, are included to require the *Company* to notify/report to the *Ministry* so that compliance with the *EPA*, the regulations and this *Approval* can be verified.

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**

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 5th day of February,
2021

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

JL/
c: District Manager, MECP Ottawa District Office
Emily Lau, Golder Associates Ltd.