

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 5681-BQ39L6
Issue Date: June 4, 2020

1499545 Ontario Inc.
1020 Elisabella Street
Greater Sudbury, Ontario
P3A 5K2

Site Location: Mobile

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 plant for the processing of *Construction and Demolition Waste Materials* and *Woodwaste*, with a maximum processing rate of 160 tonnes per hour, consisting of:

- one (1) excavator equipped with one (1) diesel fired engine rated at approximately 429 kilowatts;
- one (1) tub grinder equipped with one (1) diesel fired engine rated at approximately 576 kilowatts; and
- one (1) shredder equipped with one (1) diesel fired engine rated at approximately 429 kilowatts;

all in accordance with the Environmental Compliance Approval Application submitted by 1499545 Ontario Inc., dated March 25, 2020 and signed by Glenn Fuller; the supporting information, including the Emission Summary and Dispersion Modelling Report, submitted by GHD Limited, dated March 13, 2020 and signed by Erik Martinez; the Acoustic Assessment Report prepared by GHD Limited, dated March 13, 2020 and signed by Erik Martinez; and an email dated June 3, 2020 from Gavin Moore of GHD Limited.

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 GHD Limited, dated March 13, 2020 and signed by Erik Martinez;
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 *Plant*, assessed to determine compliance with the performance limits for the *Plant* 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 *Plant*;
5. "*Approval*" means this entire Environmental Compliance Approval and any *Schedules* attached to it;
6. "*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";
7. "*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);
8. "*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;
9. "*Company*" means 1499545 Ontario Inc., that is responsible for the construction or operation of the *Plant* and includes any successors and assigns;
 10. "*Construction and Demolition Waste Materials*" means waste resulting from construction and demolition activities excluding materials containing asbestos;
 11. "*Director*" means any *Ministry* employee appointed by the Minister pursuant to Section 5 of the *EPA*;
 12. "*District Manager*" means the District Manager of the appropriate local district office of the *Ministry*, at the geographic location where the *Plant* is operated;
 13. "*EPA*" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;
 14. "*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*;
 15. "*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 *Plant* and/or *Equipment*. The Independent Acoustical Consultant shall not be retained by the *Acoustical Consultant* involved in the noise impact assessment or the design/implementation of *Noise Control Measures* for the *Plant* and/or *Equipment*;
 16. "*Manual*" means a document or a set of documents that provides written instructions to staff of the *Company*;
 17. "*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;
 18. "*Noise Control Measures*" means measures to reduce the noise emissions from the *Plant* / *Equipment* including, but not limited to, silencers, acoustic louvres, enclosures, absorptive treatment, plenums and barriers, described in the *Company* 's application, this *Approval* and in the supporting documentation referred to herein, to the extent approved by this *Approval*;
 19. "*Plant*" means the processing of *Construction and Demolition Materials* and *Woodwaste* operations incorporating the *Equipment*;
 20. "*Point of Reception*" means a Point of Reception as defined in *Publication NPC-300*;
 21. "*Publication NPC-103*" means the *Ministry* Publication NPC-103 of the Model Municipal Noise Control By-Law, Final Report, August 1978, published by the *Ministry* as amended;

22. "*Publication NPC-233*" means *Ministry* Publication NPC-233 "Information to be Submitted for Approval of Stationary Sources of Sound" , October 1995;
23. "*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;
24. "*Schedules*" means the following schedules attached to this *Approval* and forming part of this *Approval* namely:
- Schedule A - Minimum Separation Distance;
 - Schedule B - Form 1: Notice of Relocation;
25. "*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 air, 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).
26. "*Woodwaste*" has the meaning as defined in R.R.O. 1990, Reg. 347: (General - Waste Management), made under the *Environmental Protection Act* , R.S.O. 1990, c.E.19.

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.

2. The *Company* shall restrict *Plant* operations to the daytime hours from 7 a.m. to 7 p.m.

3. Minimum Separation Distance

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

4. Noise Control Measures

1. The *Company* shall not operate the tub grinder and shredder at the same time.

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

1. The *Company* shall ensure a minimum separation distance of 400 metres between the centre of the *Plant* and the nearest *Sensitive Receptor*.

6. 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*; and
 - c. retain, for a minimum of two (2) years from the date of their creation, all records on the maintenance, repair and inspection of the *Equipment*, and make these records available for review by staff of the *Ministry* upon request.

7. Fugitive Dust Control

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

8. 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.

9. 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.

10. 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.

11. 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.

12. 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.

13. 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 B*.

14. Acoustic Audit

1. The *Company* shall carry out *Acoustic Audit* measurements on the actual noise emissions due to the operation of the *Plant*. The *Company* shall:
 - a. carry out *Acoustic Audit* measurements in accordance with the procedures in *Publication NPC-103*;
 - 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 twelve (12) months after the date of this *Approval*.
2. The *Director*:
 - a. may not accept the results of the *Acoustic Audit* if the requirements of *Publication NPC-233* were not followed;
 - b. may require the *Company* to repeat the *Acoustic Audit* if the results of the *Acoustic Audit* are found unacceptable to the *Director*.

SCHEDULE A

MINIMUM SEPARATION DISTANCE BETWEEN *PLANT* AND *POINTS OF RECEPTION*

<i>Point of Reception Location</i>	<i>Time of Plant Operation</i>	<i>Sound Level Limit (dBA)</i>	<i>Minimum Separation Distance (m)</i>
<i>Class 1 Area (Urban)</i>	7:00 AM - 7:00 PM	50	553
<i>Class 1 Area (Urban)</i>	7:00 PM - 11:00 PM	50	No Operation
<i>Class 1 Area (Urban)</i>	11:00 PM - 7:00 AM	45	No Operation
<i>Class 2 Area (Urban)</i>	7:00 AM - 7:00 PM	50	553
<i>Class 2 Area (Urban)</i>	7:00 PM - 11:00 PM	45	No Operation
<i>Class 2 Area (Urban)</i>	11:00 PM - 7:00 AM	45	No Operation
<i>Class 3 Area (Rural)</i>	7:00 AM - 7:00 PM	45	902
<i>Class 3 Area (Rural)</i>	7:00 PM - 11:00 PM	40	No Operation
<i>Class 3 Area (Rural)</i>	11:00 PM - 7:00 AM	40	No Operation

Note: "m" means metre(s) measured from the *Point of Reception* to closest point of the *Plant*.

SCHEDULE B

FORM 1 - 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 A* 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*.

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

1. Conditions Nos. 1 to 9 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. 10 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 Nos. 11 to 13 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.
4. Condition number 14 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.

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 4th day of June, 2020



Bahar Aminvaziri, P.Eng.

Director

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

BR/

c: District Manager, MECP Sudbury
Erik Martinez, GHD Limited