

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER A-500-7082824178

Version: 1.0

Issue Date: March 12, 2021

*Pursuant to section 20.3 of the Environmental Protection Act, R.S.O. 1990, c. E. 19 and subject to all other applicable Acts or regulations this Environmental Compliance Approval is issued to:*

TACC CONSTRUCTION LTD

270 CHRISLEA ROAD  
VAUGHAN ONTARIO  
L4L 8A8

*For the following site:*

Mobile Facility

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s) 5021-AEUGUJ, issued on February 22, 2018.

*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) portable jaw crusher for crushing concrete, equipped with water spray systems between the feeder and crushing unit and between the crushing and conveyor, operating at a maximum production rate of 300 tonnes per hour powered by a diesel-fired 271.5 kilowatt DEO 15W40 Caterpillar engine, discharging to the air at a volumetric flow rate of 0.64 cubic metre per second through a stack having an exit diameter of 0.15 metre and extending 4.1 metres above grade;
- One (1) excavator for loading of the jaw crusher, powered by a 184 kW diesel engine discharging to the air at a volumetric flow rate of 0.89 cubic metre per second through a stack having an exit diameter of 0.10 metre and extending 3.5 metres above grade;
- One (1) portable impact crusher for secondary concrete crushing powered by a 283 kW diesel engine discharging to the air at a volumetric flow rate of 1.04 cubic metres per second through a stack having an exit diameter of 0.15 metre and extending 3.5 metres above grade;
- One (1) portable screening plant, powered by a 95 kW diesel engine discharging to the air at a volumetric flow rate of 0.44 cubic metre per second through a stack having an exit diameter of 0.10 metre and extending 2.0 metres above grade;
- One (1) electric conveyor stacker unit;

- Two (2) conveyor stacker units, each equipped with a 37 kW diesel engine, each engine discharging to the air at a volumetric flow rate of 0.17 cubic metre per second through a stack having an exit diameter of 0.10 metre and extending 2.0 metres above grade;
- fugitive emissions from the handling, temporary storage and transfer of aggregate materials associated with the portable crushing train operations;

all in accordance with the Application for Approval (Air & Noise) submitted by TACC Construction Ltd., dated March 6, 2020 and signed by Tony Riga; the supporting information, including the Emission Summary and Dispersion Modelling Report, submitted by EXP Services Inc., dated February 21, 2020 and signed by Ron Taylor; additional information provided by Joseph Carrey and Ron Taylor of EXP Services Inc. in a letter dated June 26, 2020; the Acoustic Assessment Report submitted by Swallow Acoustic Consultants Ltd. dated February 18, 2020 and signed by Paul Vanoostveen; and all other documentation associated with the Application.

## DEFINITIONS

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*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 Swallow Acoustic Consultants Ltd , dated February 18, 2020 and signed by Paul Vanoostveen;
2. "Acoustic Barrier" means a barrier or berm positioned such that it completely interrupts the line of sight between the Equipment (Plant) and the noise sensitive Points of Reception continuous without holes, gaps and other penetrations, and having a 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:
  - sound levels characteristic of Class 1 during daytime (07:00 to 19:00 hours); and
  - low evening and night background sound level defined by natural environment and infrequent human activity starting as early as 19:00 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 small community;
  - agricultural area;
  - a rural recreational area such as a cottage or a resort area; or
  - a wilderness area;

7. "Company" means TACC Construction Ltd., 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 provide 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. "Noise Control Measures" means measures to reduce the noise emissions from the Plant / Equipment including, but not limited to, silencers, acoustic louvers, 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;
15. "Plant" means the entire portable crushing plant, incorporating the Equipment;
16. "Point of Reception" means a Point of Reception as defined in Publication NPC-300;
17. "Publication NPC-233" means Ministry Publication NPC-233 "Information to be Submitted for Approval of Stationary Sources of Sound" October 1995;
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. "Rural Area Scenario" means a scenario that is not an Urban Area Scenario;
20. "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); and
21. "Urban Area Scenario" means more than 50 percent of the land use in a 3 kilometre radius around the Plant is comprised of multi-family dwellings, commercial land use, and/or industrial land use.

## **TERMS AND CONDITIONS**

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*You are hereby notified that this environmental compliance approval is issued to you subject to the terms and conditions outlined below:*

## **1. 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 the Plant operation to the daytime period between 7:00 am and 7:00 pm.

## **2. Minimum Separation Distance to the Nearest Sensitive Receptor**

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

## **3. Noise**

1. The Company shall, at all times, ensure that the noise emissions from the Plant comply with the limits set out in Ministry Publication NPC-300.
2. The Company shall ensure that the Acoustic Barrier, when required, is erected within seven (7) working days of start-up of the Equipment.
3. Except as noted in Condition 3.2 the Company shall ensure that the Acoustic Barrier, when required, is implemented at all times during the operation of the Equipment.
4. The Company shall ensure that the Acoustic Barrier, when required, is of a height as specified in Schedule 2, is continuous without holes, gaps or other penetrations, having a surface mass density of at least 20 kilograms per square metre, and will be positioned in-between the Plant and all Points of Reception that require shielding in accordance with the Acoustic Assessment Report.
5. The Company shall ensure that the Acoustic Barrier, when required, is positioned in-between the Plant and Points of Reception that require shielding in such a way that the distance from the Acoustic Barrier to the Plant is not greater than thirty (30) metres.
6. The Company shall ensure that the Acoustic Barrier, when required, is properly maintained and continues to provide the acoustical performance outlined in the Acoustic Assessment Report.

## **4. Minimum Separation Distance to the Nearest Point of Reception**

1. The Company shall ensure a minimum separation distance between the Plant and the nearest Point of Reception as specified in of Schedule 2.

## **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, including spill clean-up procedures;
  - iii. procedures for any record keeping activities relating to operation and maintenance of the Plant/Equipment;
  - iv. all appropriate measures to minimize noise and fugitive dust emissions from all potential sources;
  - v. procedures for record keeping activities regarding identifying separation distances between the Plant and Points of Reception, and between the Plant and Sensitive Receptors; and
  - vi. procedures for determining which scenario and separation distance to apply as prescribed in Schedule 1 of this Approval;
- 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 Equipment.

## **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.
- e. all records on the separation distances between the Plant and Points of Reception and the Plant and Sensitive Receptors;

## **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 the 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 paragraph 1 of this condition.

## **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 3.

## **REASONS**

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*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.

## **APPEAL PROVISIONS**

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*In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me, the Environmental Review Tribunal within 15 days after receipt of this Notice, require a hearing by the Tribunal. 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 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 <https://olt.gov.on.ca/tribunals/ert/about-the-ert/>**

*The above noted activity is approved under s.20.3 of Part II.1 of the Environmental Protection Act.*

Dated at Toronto this 12th day of March, 2021



Rudolf Wan

Director

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

c: Ron Taylor, EXP Services Inc.

Tony Riga

Joseph J Carrey, EXP Services Inc.

The following schedules are a part of this environmental compliance approval:



## **SCHEDULE 1**

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### **MINIMUM SEPARATION DISTANCE TO NEAREST SENSITIVE RECEPTOR**

<b>Operating Scenario</b>	<b>Minimum Separation Distance</b>
Urban Area Scenario	109 metres
Rural Area Scenario	210 metres

## SCHEDULE 2

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### Mobile Plant Setback Distances - Noise

**Table 1.**

**Operating Scenario: without Acoustic Barrier**

**Receptor height: 4.5 metre**

<b>Publication NPC-300 Acoustical Area</b>	<b>Time of Operation</b>	<b>Sound Level Limit (dBA)</b>	<b>Minimum Separation Distance (metres)</b>
Class 1	Daytime (7 am to 7 pm)	50	909
Class 2	Daytime (7 am to 7 pm)	50	909
Class 3	Daytime (7 am to 7 pm)	45	1277

**Table 2.**

**Operating Scenario: with Acoustic Barrier 5 metre height**

**Receptor height: 4.5 metre**

<b>Publication NPC-300 Acoustical Area</b>	<b>Time of Operation</b>	<b>Sound Level Limit (dBA)</b>	<b>Minimum Separation Distance (metres)</b>
Class 1	Daytime (7 am to 7 pm)	50	573
Class 2	Daytime (7 am to 7 pm)	50	573
Class 3	Daytime (7 am to 7 pm)	45	934

**Table 3.**

**Operating Scenario: with Acoustic Barrier 7.5 metre height**

**Receptor height: 4.5 metre**

<b>Publication NPC-300 Acoustical Area</b>	<b>Time of Operation</b>	<b>Sound Level Limit (dBA)</b>	<b>Minimum Separation Distance (metres)</b>
Class 1	Daytime (7 am to 7 pm)	50	548
Class 2	Daytime (7 am to 7 pm)	50	548
Class 3	Daytime (7 am to 7 pm)	45	934

**Table 4.**  
**Operating Scenario: with Acoustic Barrier 10 metre height**  
**Receptor height: 4.5 metres**

<b>Publication NPC-300 Acoustical Area</b>	<b>Time of Operation</b>	<b>Sound Level Limit (dBA)</b>	<b>Minimum Separation Distance (metres)</b>
Class 1	Daytime (7 am to 7 pm)	50	475
Class 2	Daytime (7 am to 7 pm)	50	475
Class 3	Daytime (7 am to 7 pm)	45	901

## **SCHEDULE 3**

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### **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. Maximum processing rate (tonnes/hour):
  - d. Description of Plant operating conditions including the operating scenario(s) and separation distance(s) as defined in Schedules 1 and 2 of this Approval:

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; and
  - d. land use within 3 km of the Equipment.