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Ministry of the Environment, Conservation and Parks
Ministère de l'Environnement, de la Protection de la nature et des Parcs

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 6317-BXV8H3

Issue Date: April 1, 2021

King Concrete Recycling Inc.
86 Shorncliffe Road
Toronto, Ontario
M8Z 5K5

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 crushing plant, used to process concrete waste into recycled concrete aggregate material, having a maximum processing rate of 100 tonnes per hour, consisting of the following equipment and emission sources:

- one (1) combined crusher/screen unit, operating at a maximum material throughput of 100 tonnes per hour;
- one (1) diesel generator associated with the crusher/screen unit and used to power the crushing plant, having a maximum power rating of 242 kilowatts, discharging into the air at a volumetric flow rate of 0.997 cubic metre per second through a stack having an exit diameter of 0.13 metre and extending 3.56 metres above grade;
- one (1) stacker conveyor;
- 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 King Concrete Recycling Inc., dated April 20, 2020, and signed by Mark Coimbra, President; Emission Summary and Dispersion Modelling Report prepared by Pinchin Ltd., dated March 18, 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 dated March 9, 2020 and signed by Aidan Maher and Weidong Li, Pinchin Ltd.;

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 King Concrete Recycling Inc. 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. "*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 operations, 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. "*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. Except as noted in Condition 2.1, the *Company* shall ensure that the *Acoustic Barrier*, when required, is implemented at all times during the operation of the *Plant*.
3. The *Company* shall ensure that the *Acoustic Barrier*, when required, is constructed to a minimum height as specified in Schedule B, is continuous without holes, gaps or other penetrations, has a surface mass density of at least 20 kilograms per square metre; and will be positioned in between the *Plant* and *Points of Reception* that require shielding as specified in Schedule B.
4. The *Company* shall ensure that the *Acoustic Barrier*, when required, is positioned in between the *Plant/Equipment* and the *Points of Reception* that require shielding, in such a way that it is breaking the line of sight between the *Plant/Equipment* and the *Points of Reception*, and that the distance from the *Acoustic Barrier* to the *Plant* is not greater than that specified in Schedule B.
5. 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*.

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 ensure that the *Acoustic Barrier*, when required, is erected within seven (7) working days of start-up of the *Equipment* and until that time, the *Plant* operations shall be restricted to the daytime hours of 7 a.m. to 7 p.m., Monday to Friday.

3. Minimum Separation Distance to the Nearest Sensitive Receptor

1. The *Company* shall ensure a minimum separation distance of 500 metres is maintained between the boundary of the *Plant* and the nearest *Sensitive Receptor*.

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 B.

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*;
 - iv. all appropriate measures to minimize noise and fugitive dust 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*.

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"** 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

Setback requirements for unmitigated operation

NPC-300 Acoustical Area	Time of <i>Equipment</i> Operation	Sound Level Limit	Minimum Separation Distance
Class 1 Areas (Urban)	between 7:00 am and 7:00 pm	50 dBA	575 metres
Class 1 Areas (Urban)	between 7:00 pm and 11:00 pm	50 dBA	575 metres
Class 1 Areas (Urban)	between 11:00 pm and 7:00 am	45 dBA	915 metres
Class 2 Areas (Urban)	between 7:00 am and 7:00 pm	50 dBA	575 metres
Class 2 Areas (Urban)	between 7:00 pm and 11:00 pm	45 dBA	915 metres
Class 2 Areas (Urban)	between 11:00 pm and 7:00 am	45 dBA	915 metres

Class 3 Areas (Rural)	between 7:00 am and 7:00 pm	45 dBA	915 metres
Class 3 Areas (Rural)	between 7:00 pm and 11:00 pm	40 dBA	1405 metres
Class 3 Areas (Rural)	between 11:00 pm and 7:00 am	40 dBA	1405 metres

Setback requirements for operation with 6 metre high and at least 30 metres long *Acoustic Barrier* (breaking the line of sight with the receptors 4.5 m high); with the top of *Acoustic Barrier* within 35 meters of *Equipment*

NPC-300 Acoustical Area	Time of <i>Equipment</i> Operation	Sound Level Limit	Minimum Separation Distance
Class 1 Areas (Urban)	between 7:00 am and 7:00 pm	50 dBA	345 metres
Class 1 Areas (Urban)	between 7:00 pm and 11:00 pm	50 dBA	345 metres
Class 1 Areas (Urban)	between 11:00 pm and 7:00 am	45 dBA	590 metres
Class 2 Areas (Urban)	between 7:00 am and 7:00 pm	50 dBA	345 metres
Class 2 Areas (Urban)	between 7:00 pm and 11:00 pm	45 dBA	590 metres
Class 2 Areas (Urban)	between 11:00 pm and 7:00 am	45 dBA	590 metres
Class 3 Areas (Rural)	between 7:00 am and 7:00 pm	45 dBA	565 metres
Class 3 Areas (Rural)	between 7:00 pm and 11:00 pm	40 dBA	940 metres
Class 3 Areas (Rural)	between 11:00 pm and 7:00 am	40 dBA	940 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
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*** 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**

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

DATED AT TORONTO this 1st day of April, 2021

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

JL/

c: District Manager, MECP Toronto District Office
Natasha Lewis, Pinchin Ltd.