

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 7004-BZEKLZ
Issue Date: April 27, 2021

St. Marys Cement Inc. (Canada)
805 Nipissing Rd
Milton, Ontario
L9T 4Z5

Site Location: CBM Windsor
 3510 Russell St
 Windsor City, County of Essex
 N9C 4E7

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) concrete batching plant, having a maximum concrete production rate of 180 cubic metres per hour and 1,800 cubic metres per day, consisting of the following emission sources:

- one (1) dust collection system, to control emissions from a loading point, equipped with 56 square metres of polyester filter material and a jet pulse cleaning system, discharging to the air at a maximum volumetric flow rate of 2.36 cubic metres per second through a stack having an exit diameter of 0.38 metre and extending 4.9 metres above grade;
- two (2) identical baghouse dust collectors, to control emissions from a split silo, each equipped with 16.6 square metres of polyester filter material and a reverse pulse jet cleaning system, each discharging to the air at a maximum volumetric flow rate of 0.33 cubic metre per second through a separate stack having an exit diameter of 0.15 metre and extending 21.3 metres above grade;
- one (1) baghouse dust collector, to control emissions from one (1) cement silo, equipped with 16.6 square metres of polyester felt filter material and a pulse-air type cleaning system, discharging to the air at a maximum volumetric flow rate of 0.43 cubic metre per second through a stack having an exit diameter of 0.15 metre, extending 0.6 metre above the roof and 22.9 metres above grade;
- one (1) baghouse dust collector, to control emissions from one (1) slag silo, equipped with 10.0 square metres of polyester felt filter material and an automatic bag shaker cleaning system, discharging to the air at a maximum volumetric flow rate of 0.28 cubic metre per second through a

stack having an exit diameter of 0.15 metre, extending 0.6 metre above the roof and 19.6 metres above grade;

- one (1) baghouse dust collector, to control emissions from a loading point, equipped with 8.2 square metres of polyester felt filter material and an automatic bag shaker cleaning system, discharging to the air at a maximum volumetric flow rate of 0.23 cubic metre per second through a stack having an exit diameter of 0.15 metre, extending 0.6 metre above the roof and 11.3 metres above grade;
- one (1) natural gas fired steam boiler, having a maximum thermal input of 3,692,700 kilojoules per hour, discharging to the air through a stack having an exit diameter of 0.41 metre, extending 5.48 metres above grade;
- one (1) natural gas fired water heater, having a maximum thermal input of 1,764,400 kilojoules per hour, discharging to the air through a stack having an exit diameter of 0.25 metre, extending 5.78 metres above grade;
- fugitive emissions resulting from the delivery, storage and transfer of materials associated with the concrete batching operations;

all in accordance with the Environmental Compliance Approval application submitted St. Marys Cement Inc. (Canada), dated October 21, 2020, and signed by Colin Evans, Director, Lands and Development; the supporting Emission Summary and Dispersion Modelling report prepared by BCX Environmental Consulting, dated June 19, 2015, and signed by Neil Chan, P.Eng.; the Acoustic Assessment Report prepared by Aercoustics Engineering Limited, dated September 16, 2020, and signed by Nicholas Sylvestre-Williams, P.Eng.; and the additional information prepared by BCX Environmental Consulting, dated April 20, 2016, and signed by Neil Chan, P.Eng.

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 and Appendix A of the Basic Comprehensive User Guide, by James Sellars and Nicholas Sylvestre Williams, Aercoustics Engineering Limited, dated September 16, 2020, and submitted in support of the application, that documents all sources of noise emissions and Noise Control Measures present at the Facility, as updated in accordance with Condition 5 of this Approval;
2. "Acoustic Assessment Summary Table" means a table prepared in accordance with the Basic Comprehensive User Guide summarising the results of the Acoustic Assessment Report, up-dated as required by the Documentation Requirements conditions of this Approval;
3. "Approval" means this Environmental Compliance Approval, including the application and supporting documentation listed above and any Schedules attached to it;
4. "Best Management Practices Plan" means the document "CBM Ready-Mix Fugitive Dust Control Best Management Practices Plan, Location: CBM Windsor Ready Mix", dated October 13, 2009, as amended, which describes measures to minimize dust emissions from the Facility and/or Equipment;

5. "Company" means St. Marys Cement Inc. (Canada) that is responsible for the construction or operation of the Facility and includes any successors and assigns in accordance with section 19 of the EPA;
6. "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;
7. "District Manager" means the District Manager of the appropriate local district office of the Ministry, where the Facility is geographically located;
8. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19;
9. "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;
10. "Facility" means the entire operation located on the property where the Equipment is located;
11. "Manual" means a document or a set of documents that provide written instructions to staff of the Company;
12. "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;
13. "Noise Control Measures" means measures to reduce the noise emissions from the Facility and/or Equipment including, but not limited to, silencers, acoustic louvres, enclosures, absorptive treatment, plenums and barriers. It also means the Noise Control Measures, as outlined in Section 7 and Table 3 of the Acoustic Assessment Report and detailed in Schedule "A" of this Approval;
14. "Publication NPC-103" means Publication NPC-103, Procedures, August 1978;
15. "Publication NPC-207" means the Ministry draft technical publication "Impulse Vibration in Residential Buildings", November 1983, supplementing the Model Municipal Noise Control By-Law, Final Report, published by the Ministry, August 1978, as amended;
16. "Publication NPC-233" means the Ministry Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October, 1995, as amended;
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; and
18. "Truck(s)" means concrete ready-mix truck(s), aggregate truck(s) and cement powder tanker truck(s).

You are hereby notified that this environmental compliance approval is issued to you subject to the terms and

conditions outlined below:

TERMS AND CONDI TIONS

1. 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 dust emissions from all potential sources;
 - v. the frequency of inspection and replacement of the filter material in the Equipment; and
 - vi. procedures for recording and responding to environmental complaints relating to the operation of the Facility;
 - b. implement the recommendations of the Manual.

2. FUGITIVE DUST CONTROL

1. The Company shall immediately implement the Best Management Practices Plan for the control of fugitive dust emissions to provide effective dust suppression measures to any potential sources of fugitive dust emissions resulting from the operation of the Facility.

3. DOCUMENTATION REQUIREMENTS

1. The Company shall record, in a log book, each time a specific preventative and control measure described in the Best Management Practices Plan is implemented. The Company shall record, as a minimum:

- a. the date when each emission control measure is installed, including a description of the control measure;
- b. the date when each new preventative measure or operating procedure to minimize emissions is implemented, including a description of the preventative measure or operating procedure; and
- c. the date, time of commencement, and time of completion of each periodic activity conducted to minimize emissions, including a description of the preventative measure/procedure and the name of the individual performing the periodic activity.

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 on the daily operation of the Equipment, including:
 - i. hourly and daily production rate;
 - ii. daily start-up and shut-down times of the Equipment;
 - iii. Trucks arrivals and departures per sixty (60) minute period; and
 - iv. number of the ready-mix trucks, number and volume of their truckloads per sixty (60) minute period;
 - c. all records of any upset conditions associated with the operation of the Equipment;
 - d. the log book which contains all records on the preventative and control measures implemented for each source of fugitive dust emission identified in the Best Management Practices Plan; and
 - e. all records on the environmental complaints, including:
 - i. a description, time, date and location of each complaint;
 - 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 measure taken.

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

6. NOISE

1. The Company shall:
 - a. implement the Noise Control Measures as outlined in Schedule "A" of this Approval;
 - b. ensure that any and all Trucks arrive at and depart from the Facility in accordance with Schedule "A" of this Approval;
 - c. following the implementation of the Noise Control Measures, comply with the limits set out in Publication NPC-300; and
 - d. ensure that all Noise Control Measures, are properly maintained and continue to provide the acoustical performance outlined in the Acoustic Assessment Report.
2. The Company shall ensure that the vibration emissions from the Facility comply with the limits set out in Ministry Publication NPC-207.

SCHEDULE "A"

NOISE CONTROL MEASURES

Completion upon issuance of this Approval.

Physical

1. Barrier #1: One(1) 70 metres long, 3.7 metres high acoustic barrier positioned as per Figure 4 of the Acoustic Assessment Report, continuous without any holes, gaps and other penetrations, and having a surface mass of at least 20 kilograms per square metre.
2. Barrier #2: One(1) 35 metres long, 4 metres high acoustic barrier positioned as per Figure 4 of the Acoustic Assessment Report, continuous without any holes, gaps and other penetrations, and having a surface mass of at least 20 kilograms per square metre.

Administrative

Time Period	Administrative Controls
Day and Evening hours 07:00 to 23:00	Maximum One(1) Tanker Delivery Truck arrival and One(1) Tanker Delivery Truck departure per sixty minute time period
Day and Evening hours 07:00 to 23:00	Maximum Sixteen(16) Ready-Mix Truck arrivals and Sixteen(16) Ready-Mix Truck departures per sixty minute time period
Day and Evening hours 07:00 to 23:00	Maximum One(1) Ready-Mix Loading Point which shall directly face the Detroit River
Night hours 23:00 to 07:00	No Tanker Delivery Trucks
Night hours 23:00 to 07:00	Maximum of Four(4) Ready-Mix Truck arrivals and Four(4) Ready-Mix Truck departures per sixty minute time period
Night hours 23:00 to 07:00	Maximum One(1) Ready-Mix Loading Point which shall directly face the Detroit River

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

1. Conditions number 1 and 2 are included to emphasize that the Facility/Equipment must be maintained and operated according to a procedure that will result in compliance with the EPA, the Regulations and this Approval.
2. Conditions number 3 and 4 are 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.
3. Condition number 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.
4. Condition number 6 is included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the Facility.

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s) 6479-A9US3Z issued on May 20, 2016.

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.

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 Director appointed for the purposes of

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

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 27th day of April, 2021



Miroslav Ubovic, P.Eng.
Director
appointed for the purposes of Part II.1 of the
Environmental Protection Act

ES/
c: Area Manager, MECP Windsor
c: District Manager, MECP Sarnia
James Sellars, Aercoustics Engineering Limited