

**AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 3656-C4FK85

Issue Date: June 29, 2021

Elastochem Specialty Chemicals Inc.  
37 Easton Road  
Brantford, Ontario  
N3P 1J4

**Site Location:** 37 Easton Road  
Brantford City, County of Brant  
Ontario

*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:*

An urethane product manufacturing facility, consisting of the following equipment and emission sources:

- one (1) fume hood for products testing and degreasing of metal parts, discharging into the air via a vent extending 6.5 metres above grade;
- one (1) urethane foam spray booth, discharging into the air via a vent extending 7.0 metres above grade;
- fourteen (14) storage tanks, including following storage capacity:
  - two (2) storage tanks, each having a storage capacity of 37.9 cubic metres;
  - two (2) storage tanks, each having a storage capacity of 22.7 cubic metres; and
  - ten (10) storage tanks, each having a storage capacity of 18.5 cubic metres.

all in accordance with the application for an Environmental Compliance Approval (Air & Noise) submitted by Elastochem Specialty Chemicals Inc., dated March 27, 2020, and signed by John Volk, General Manager; Emission Summary and Dispersion Modeling Report prepared by TAF Industrial Consulting, dated March 21, 2020; and all the information associated with the application.

*For the purpose of this environmental compliance approval, the following definitions apply:*

1. "Approval" means this Environmental Compliance Approval, including the application and supporting documentation listed above;

2. "Company" means Elastochem Specialty Chemicals Inc. 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;
3. "District Manager" means the District Manager of the appropriate local district office of the Ministry, where the Facility is geographically located;
4. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19;
5. "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;
6. "Facility" means the entire operation located on the property where the Equipment is located;
7. "Manual" means a document or a set of documents that provide written instructions to staff of the Company;
8. "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;
9. "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.

*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. 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, including spill clean-up procedures;
    - iii. procedures for any record keeping activities relating to operation and maintenance of the Equipment; and

iv. all appropriate measures to minimize noise and odorous emissions from all potential sources.

b. implement the recommendations of the Manual.

## **2. 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 of any environmental complaints, including:
    - i. a description, time and date of each incident to which the complaint relates;
    - ii. wind direction at the time of the incident to which the complaint relates; and
    - iii. a description of the measures taken to address the cause of the incident to which the complaint relates and to prevent a similar occurrence in the future.

## **3. 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; and
  - b. the time and date of the incident to which the complaint relates.

## **4. NOISE**

1. The Company shall, at all times, ensure that the noise emissions from the Facility comply with the limits set out in Ministry Publication NPC-300.

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

1. Condition No. 1 is included to emphasize that the 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. 2 is 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 No. 3 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 No. 4 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). 7738-999PNS issued on August 8, 2013.**

*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 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](http://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 29th day of June, 2021

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

JL/  
c: District Manager, MECP Guelph  
Talis Forstmanis, TAF Industrial Consulting