

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 1518-C5QMDX  
Issue Date: August 17, 2021

The Sarjeant Company Limited (o/a Custom Concrete  
Northern)  
2416 Hwy 655  
Timmins, Ontario  
P4N 8R9

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 ready-mix concrete batching plant, having a maximum production capacity of 400 cubic metres per day, consisting of the following equipment and emission sources:
  - one (1) central baghouse dust collector, to control emissions from the storage silo having a storage capacity of 40 tonnes, cement weigh scale, and loading point; complete with polyester filter material having a filtering area of 251 square metres and a pulse-jet type cleaning system, discharging to the air at a maximum volumetric flow rate of 3.8 cubic metres per second through a stack having an exit diameter of 0.3 metre, and extending 10.7 metres above grade;
  - one (1) 207 kilowatt diesel-fired generator to provide power to the ready-mix concrete operations, discharging to the air through a stack with an exit diameter of 0.15 metre, and extending 1.2 metres above grade;
  - fugitive emissions resulting from the delivery, storage, and transfer of materials associated with ready-mix concrete batching operations.

all in accordance with the application for an Environmental Compliance Approval (Air and Noise) submitted by The Sarjeant Company, dated May 17, 2021, and signed by Brandon Elliott, President; Emission Summary and Dispersion Modelling Report prepared by BCX Environmental Consulting, dated May 17, 2021 and signed by Roxana Ungureanu, and the Primary Noise Screening Method, dated May 17, 2021 and signed by Roxana Ungureanu.

*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. "Common Air Contaminants" means the contaminants listed in the Emission Summary Table of the ESDM Report;
3. "Company" means The Sarjeant Company Limited (operating as Custom Concrete Northern) 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;
4. "Director" means any Ministry employee appointed by the Minister pursuant to Section 5 of the EPA;
5. "District Manager" means the District Manager of the appropriate local district office of the Ministry, where the Facility is geographically located;
6. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19;
7. "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;
8. "Manual" means a document or a set of documents that provide written instructions to staff of the Company;
9. "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;
10. "Plant" means the entire portable ready-mix plant operations, incorporating the Equipment;
11. "Point of Reception" means a Point of Reception as defined in Publication NPC-300;
12. "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;
13. "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 ensure that the noise emissions from the Plant comply with the limits set in Ministry Publication NPC-300.

### **2. Site-Specific Operational Limits**

1. The Company shall limit the operation of the Equipment at any one site as follows:
  - a. the Equipment shall be operated for a maximum duration of one (1) calendar year at any one site if there are no other sources of Common Air Contaminants or noise at that site; otherwise the Equipment shall be operated for a maximum of sixty (60) calendar days per year at that site.
2. The Company shall not operate the Plant during the months of December to February, inclusive.

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

1. The Company shall ensure a minimum separation distance of **230 metres** maintained between the centre of the aggregate bin structure 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 of **500 metres** is maintained between the Plant and the nearest Point of Reception.

### **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. procedures for recording the duration of operation of the Equipment at any one operating site;
  - v. procedures for determining whether there are other sources of Common Air Contaminants or noise at an operating site;
  - vi. procedures for identifying separation distances between the Plant and Points of Reception, and between the Plant and Sensitive Receptors;
  - vii. all appropriate measures to minimize noise and fugitive dust emissions from all potential sources;
  - viii. 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 Conditions 3 and 4 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 No. 1 to 8 are included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the Plant and to emphasize that the Plant 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 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

**\* 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 17th day of August, 2021



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

AB/  
c: District Manager, MECP Timmins  
Roxana Ungureanu, BCX Environmental Consulting