

**AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 1335-BXV87K

Issue Date: September 9, 2021

Pioneer Construction Inc.  
PO Box 300 Copper Cliff  
Greater Sudbury, Ontario  
P0M 1N0

**Site Location:** Thunder Bay Asphalt and Ready-Mix Plant  
1344 Oliver Road  
Thunder Bay City, District of Thunder Bay  
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:*

**Hot Mix Asphalt Plant**

one (1) hot-mix asphalt plant, having a maximum production rate of 200 tonnes per hour, 2,000 tonnes per day, consisting of the following equipment and emission sources:

one (1) hot mix asphalt dryer/mixer, equipped with a natural gas fired burner, having a maximum heat input of 105 million kilojoules per hour, with particulate emissions controlled by one (1) baghouse dust collector equipped with 24.5 square metres of Nomex filter material and a pulse jet cleaning mechanism, discharging to the atmosphere at a volumetric flow rate of 29 cubic metres per second and a temperature of 121 degrees Celsius, through a stack having an exit diameter of 1.2 metres, extending 13.2 metres above grade;

four (4) liquid asphalt cement storage tanks for hot mix asphalt, including two (2) vertical tank each having a storage capacity of 75 tonnes, one (1) horizontal tank having a storage capacity of 60 tonnes, and another horizontal tank having a storage capacity of 112 tonnes; the storage tanks equipped with one (1) natural gas fired heater, having a maximum thermal input rating of 1.43 million kilojoules per hour;

fugitive emissions resulting from the delivery, storage, and transfer of raw materials associated with hot mix asphalt operations;

**Ready-Mix Concrete plant:**

one (1) Vince Hagan (HTC12400C-65/3) ready-mix concrete batching plant having a maximum production rate of 48 tonnes per hour, 480 tonnes per day, consisting of the following equipment and emission sources:

two (2) Belgrade double wall split silo (50/50) structures, each with a maximum total capacity of 160 tonnes per silo structure, 80 tonnes per split side; two (2) silo sides are used for general use cement storage; one (1) silo side is used for slag cement storage; and one (1) silo side used for fly ash storage;

four (4) Belgrade baghouse dust collectors used to control emissions from each silo side; each dust collector is equipped with 13.9 square metres of polyester filter material and a pulse jet cleaning mechanism, discharging to the air passively;

one (1) natural gas fired boiler, having a maximum heat input of 3,165,000 kilojoules per hour.

fugitive emissions resulting from the delivery, storage, and transfer of raw materials associated with ready-mix concrete batching operations;

all in accordance with the application for an Environmental Compliance Approval (Air & Noise) submitted by Pioneer Construction Inc., dated February 19, 2019, and signed by Matthew Case; Emission Summary and Dispersion Modeling Report prepared by EXP, dated January, 2019; Acoustic Assessment Report prepared by Paul Vanoostveen and Pearlie Yung of Thornton Tomasetti, dated August 13, 2021; 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, by Paul Vanoostveen of Thornton Tomasetti and dated August 13, 2021 submitted in support of the application, that documents all sources of noise emissions and Noise Control Measures present at the Facility;
2. "Approval" means this Environmental Compliance Approval, including the application and supporting documentation listed above;
3. "Best Management Practices Plan" means a document or a set of documents which describe measures to minimize dust emissions from the Facility and/or Equipment;

4. "Company" means Pioneer Construction 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;
5. "Director" means a person appointed by the Minister pursuant to section 5 of the EPA;
6. "District Manager" means the District Manager of the appropriate local district office of the Ministry, where the Facility is geographically located;
7. "EPA" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;
8. "Equipment" means the equipment and processes described in the Company's application, this Approval and in the supporting documentation referred to herein, to the extent approved by this Approval;
9. "Facility" means the entire operation located on the property where the Equipment is located;
10. "Manual" means a document or a set of documents that provides written instructions to staff of the Company;
11. "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;
12. "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, described in the Company's application, and in the supporting documentation referred to herein, including the Acoustic Assessment Report, to the extent approved by this Approval;
13. "Publication NPC-233" means the Ministry Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October, 1995 as amended; and
14. "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. NOISE PERFORMANCE**

1. The Company shall:
  - a. ensure, subsequent to the completion of the Noise Control Measures, that the noise emissions from the Facility comply with the limits set out in Ministry Publication NPC-300;
  - b. restrict operation of tanker truck blower (TK-03) to the daytime period between 7:00 am to 7:00 pm.

## **2. 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;
    - iv. the frequency of inspection and replacement of the filter material in the Equipment;
    - v. all appropriate measures to minimize dust and odorous emissions from all potential sources; and
    - vi. procedures for recording and responding to environmental complaints relating to operation of the Facility;
  - b. implement the recommendations of the Manual.

## **3. FUGITIVE DUST CONTROL**

1. The Company shall prepare, not later than three (3) months after the date of this Approval, and update, as necessary, a Best Management Practices Plan for the control of fugitive dust emissions. This Best Management Practices Plan shall include, but not be limited to:
  - a. identification of the main sources of fugitive dust emissions such as:
    - i. on-site traffic;
    - ii. paved roads/areas;
    - iii. unpaved roads/areas;

- iv. material stock piles;
  - v. loading/unloading areas and loading/unloading techniques;
  - vi. material spills;
  - vii. material conveyance systems;
  - viii. exposed openings in process and storage buildings; and
  - ix. general work areas.
- b. potential causes for high dust emissions and opacity resulting from these sources;
  - c. preventative and control measures in place or under development to minimize the likelihood of high dust emissions and opacity from the sources of fugitive dust emissions identified above. Details of the preventative and control measures shall include:
    - i. a description of the control equipment to be installed;
    - ii. a description of the preventative procedures to be implemented; and/or
    - iii. the frequency of occurrence of periodic preventative activities, including material application rates, as applicable.
  - d. an implementation schedule for the Best Management Practices Plan, including training of Facility personnel;
  - e. inspection and maintenance procedures and monitoring initiatives to ensure effective implementation of the preventative and control measures; and
  - f. a list of all Ministry comments received, if any, on the development of the Best Management Practices Plan, and a description of how each Ministry comment was addressed in the Best Management Practices Plan.
2. The Company shall 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.

#### **4. 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.

## **5. 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. 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;
  - c. all records on the environmental complaints; including:
    - i. a description, time, date and location of each incident;
    - ii. wind direction and other weather conditions at the time of the incident;
    - iii. the name(s) of Company personnel responsible for handling the incident;
    - iv. the cause of the incident;
    - v. the Company response to the incident; and
    - vi. 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.

## **6. 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.

## **7. NOISE CONTROL MEASURES**

- 1. The Company shall:
  - a. fully implement the Noise Control Measures specified in the Acoustic Assessment Report;
  - b. ensure that the Noise Control Measures are properly maintained and continue to provide the acoustical performance outlined in the Acoustic Assessment Report.

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

- 1. Condition No. 1 is included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the Facility/Equipment.
- 2. Conditions No. 2 and 3 are 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.
- 3. Conditions No. 4 and 5 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.
- 4. Condition No. 6 is included to require the Company to notify staff of the Ministry so that compliance with the EPA, the Regulations and this Approval can be verified.
- 5. Condition No. 7 is included to require the Company to implement a Noise Control Measures designed to ensure that the noise emissions from the Facility will be in compliance with applicable limits set in the Ministry's noise guidelines.

**Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 9651-9FYSER issued on February 18, 2014.**

*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 9th day of September,  
2021

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

JL/  
c: District Manager, MECP Thunder Bay - District  
Ron Taylor, EXP