

**AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 1498-C4NFVU

Issue Date: October 27, 2021

RIC (1515 Thornton) Inc.  
162 Cumberland Street, No. 300  
Toronto, Ontario  
M5R 3N5

**Site Location:** 1515 Thornton Road North  
Part of Lot 16, Concession 4  
Oshawa City, Regional Municipality of Durham

*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:*

### **Description Section**

An anaerobic digestion facility, consisting of the following processes and support units:

- Organic Waste receipt, pre-treatment and temporary storage;
- anaerobic digestion;
- digestate and biogas storage;
- digestate management;
- wastewater treatment;
- production of renewable natural gas through processing of biogas;
- one (1) enclosed flare system, for the incineration of up to 3,200 cubic metres per hour of biogas, discharging to the atmosphere through a 3.3 metre diameter exhaust, extending 12.2 metres above grade;
- one (1) air treatment system, consisting of an upstream carbon filter and bioscrubber and a two cell, down-flow biofilter containing engineered media to a depth of 1.5 metres, having an empty bed residence time of 47 seconds, with an area of 600 square metres, exhausting to the atmosphere through a 0.88 metre diameter stack, extending 20 metres above grade;

including the Equipment and any other ancillary and support processes and activities, operating at a Facility Production Limit of up to **200,000 tonnes of Organic Waste received per year** discharging to the air as described in the Original ESDM Report.

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

*apply:*

1. "ACB list" means the document entitled "Air Contaminants Benchmarks (ACB) List: Standards, guidelines and screening levels for assessing point of impingement concentrations of air contaminants", as amended from time to time and published by the Ministry and available on a Government website;
2. "Acceptable Point of Impingement Concentration" means a concentration accepted by the Ministry as not likely to cause an adverse effect for a Compound of Concern that,
  - a. is not identified in the ACB list, or
  - b. is identified in the ACB list as belonging to the category "Benchmark 2" and has a concentration at a Point of Impingement that exceeds the concentration set out for the contaminant in that document.With respect to the Original ESDM Report, the Acceptable Point of Impingement Concentration for a Compound of Concern mentioned above is the concentration set out in the Original ESDM Report;
3. "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 Facility. "Acoustic Assessment Report" also means the Acoustic Assessment Report dated January 12, 2021 and signed by Michael Masschaele, GHD;
4. "Acoustic Assessment Summary Table" means a table prepared in accordance with the Basic Comprehensive User Guide summarising the results of the Acoustic Assessment Report, as updated in accordance with Condition 14 of this Approval;
5. "Acoustic Audit" means an investigative procedure consisting of measurements and/or acoustic modelling of all sources of noise emissions due to the operation of the Facility, assessed to determine compliance with the performance limits for the Facility regarding noise emissions, completed in accordance with the procedures set in Publication NPC-103 and reported in accordance with Publication NPC-233;
6. "Acoustic Audit Report" means a report presenting the results of an Acoustic Audit, prepared in accordance with Publication NPC-233;
7. "Acoustical Consultant" means a person currently active in the field of environmental acoustics and noise/vibration control, who is familiar with Ministry noise guidelines and procedures and has a combination of formal university education, training and experience necessary to assess noise emissions from a Facility;
8. "AERMOD" means the dispersion model developed by the American

Meteorological Society/U.S. Environmental Protection Agency Regulatory Model Improvement Committee (AERMIC) including the PRIME (Plume Rise Model Enhancement) algorithm;

9. "Air Treatment System" means the air treatment system, including the Biofilter and Bioscrubber, 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. "Approval" means this entire Environmental Compliance Approval and any Schedules to it;
11. "Basic Comprehensive User Guide" means the Ministry document titled "Basic Comprehensive Certificates of Approval (Air) User Guide" dated March 2011, as amended;
12. "Biofilter" means the biofilter described in the Company's application, this Approval and in the supporting documentation submitted with the application, to the extent approved by this Approval;
13. "Bioscrubber" means the bioscrubber described in the Company's application, this Approval and in the supporting documentation submitted with the application, to the extent approved by this Approval;
14. "Company" means RIC (1515 Thornton) 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;
15. "Compound of Concern" means a contaminant described in paragraph 4 subsection 26 (1) of O. Reg. 419/05, namely, a contaminant that is discharged from the Facility in an amount that is not negligible;
16. "Description Section" means the section on page one of this Approval describing the Company's operations and the Equipment located at the Facility and specifying the Facility Production Limit for the Facility;
17. "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;
18. "District Manager" means the District Manager of the appropriate local district office of the Ministry, where the Facility is geographically located;
19. "Emission Summary Table" means a table described in paragraph 14 of subsection 26 (1) of O. Reg. 419/05;
20. "Environmental Assessment Act" means the *Environmental Assessment Act*, R.S.O. 1990, c.E.18;
21. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19;

22. "Equipment" means equipment or processes described in the ESDM Report, the Acoustic Assessment Report, this Approval and in the Schedules referred to herein and any other equipment or processes;
23. "Equipment with Specific Operational Limits" means the enclosed flare, Air Treatment System, any Equipment related to the thermal oxidation of waste or waste derived fuels, fume incinerators or any other Equipment that is specifically referenced in any published Ministry document that outlines specific operational guidance that must be considered by the Director in issuing an Approval;
24. "ESDM Report" means the most current Emission Summary and Dispersion Modelling Report that describes the Facility. The ESDM Report is based on the Original ESDM Report and is updated after the issuance of this Approval in accordance with section 26 of O. Reg. 419/05 and the Procedure Document;
25. "Exhausted" means the capacity of the activated carbon to adsorb contaminant emissions is reached and the activated carbon unit is not longer able to effectively reduce emissions;
26. "Facility" means the entire operation located on the property where the Equipment is located;
27. "Facility Production Limit" means the production limit placed by the Director on the main product(s) or raw materials used by the Facility;
28. "Independent Acoustical Consultant" means an Acoustical Consultant not representing the Company, and not involved in the noise impact assessment or the design/implementation of Noise Control Measures for the Facility/Equipment. The Independent Acoustical Consultant shall not be retained by the consultant involved in the noise/vibration impact assessment or the design/implementation of noise/vibration control measures for the Facility/Equipment;
29. "Log" means a document that contains a record of each change that is required to be made to the ESDM Report and Acoustic Assessment Report, including the date on which the change occurred. For example, a record would have to be made of a more accurate emission rate for a source of contaminant, more accurate meteorological data, a more accurate value of a parameter that is related to a source of contaminant, a change to a Point of Impingement and all changes to information associated with a Modification to the Facility that satisfies Condition 2;
30. "Malfunction" means any sudden, unplanned, infrequent and not reasonably preventable failure of the equipment associated with maintaining or monitoring negative pressure and/or negative air balance in the fully enclosed Organics Receiving Building, excluding failures that may be caused in part by poor maintenance or negligent operation;
31. "Manager" means the Manager, Technology Standards Section, Technical

Assessment and Standards Development Branch, or any other person who represents and carries out the duties of the Manager, Technology Standards Section, Technical Assessment and Standards Development Branch, as those duties relate to the conditions of this Approval;

32. "Minister" means the Minister of the Environment, Conservation and Parks or such other member of the Executive Council as may be assigned the administration of the EPA under the Executive Council Act;
33. "Ministry" means the ministry of the Minister;
34. "Modification" means any construction, alteration, extension or replacement of any plant, structure, equipment, apparatus, mechanism or thing, or alteration of a process or rate of production at the Facility that may discharge or alter the rate or manner of discharge of a Compound of Concern to the air or discharge or alter noise or vibration emissions from the Facility;
35. "Noise Abatement Action Plan" means the noise abatement program developed by the Company, submitted to the Director and District Manager and approved by the Director, designed to achieve compliance with the sound level limits set in Publication NPC-300, as applicable;
36. "Noise Control Measures" means measures to reduce the noise emissions from the Facility and/or Equipment including, but not limited to, silencers, acoustic louvers, enclosures, absorptive treatment, plenums and barriers. It also means the Noise Control Measures detailed in the Acoustic Assessment Report dated January 12, 2021 and signed by Michael Masschaele, GHD;
37. "O. Reg. 419/05" means Ontario Regulation 419/05: Air Pollution – Local Air Quality, made under the EPA;
38. "Odour Management Plan" means the document titled Odour Management Plan, dated May 19, 2021 and prepared by GHD Limited;
39. "Odour Monitoring Program" means a document or set of document which describe measures to detect and identify odour originating from the operation of the Facility;
40. "Organic Waste" has the same meaning as defined in the Waste Approval;
41. "Organics Receiving Building" means the enclosed building located at the Facility where the solid Organic Waste is to be received, pre-processed and temporarily stored;
42. "Original ESDM Report" means the Emission Summary and Dispersion Modelling Report which was prepared in accordance with section 26 of O. Reg. 419/05 and the Procedure Document by Matthew Griffin, GHD Limited and dated January 21, 2020 submitted in support of the application, and includes any changes to the

report made up to the date of issuance of this Approval;

43. "Point of Impingement" has the same meaning as in section 2 of O. Reg. 419/05;
44. "Point of Reception" means Point of Reception as defined by Publication NPC-300;
45. "Pre-Test Plan" means a plan for the Source Testing including the information required in Section 5 of the Source Testing Code;
46. "Procedure Document" means Ministry guidance document titled "Procedure for Preparing an Emission Summary and Dispersion Modelling Report" dated March 2018, as amended;
47. "Processes with Significant Environmental Aspects" means the Equipment which, during regular operation, would discharge one or more contaminants into the air in an amount which is not considered as negligible in accordance with section 26 (1) 4 of O. Reg. 419/05 and the Procedure Document;
48. "Professional Engineer" means a Professional Engineer as defined within the *Professional Engineers Act*, R.S.O. 1990, c.P.28;
49. "Publication NPC-103" means Publication NPC-103, Procedures, August 1978;
50. "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;
51. "Publication NPC-233" means the Ministry Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October 1995, as amended;
52. "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;
53. "Revised Noise Abatement Action Plan" means the updated Noise Abatement Plan developed by the Company, submitted to the Director and District Manager and approved by the Director, designed to manage and achieve compliance with the sound level limits set in Publication NPC-300;
54. "Schedules" means the following schedules attached to this Approval and forming part of this Approval namely:
  - Schedule A - Supporting Documentation;
  - Schedule B - Biofilter and Bioscrubber Parameters;
  - Schedule C - Test Contaminants;
  - Schedule D - Source Testing Procedures;

- Schedule E - Procedure to Calculate and Record the 10-minute Average Concentration of Odour; and
- Schedule F - Continuous Temperature Monitoring and Recording System Requirements;

55. "Sensitive Receptor" means any location where routine or normal activities occurring at reasonably expected times would experience adverse effect(s) from odour discharges from the Facility, 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. commercial areas where there are continuous public activities (e.g.; commercial plazas and office buildings);
56. "Source Testing" means site-specific sampling and testing to measure emissions resulting from operating the Air Treatment System under operating conditions that will derive an emission rate that, for the relevant averaging period of the contaminant, is at least as high as the maximum emission rate that the source of contaminant is reasonably capable of, or a rate approved by the Manager, within the approved operating range of the Air Treatment System which satisfies paragraph 1 of subsection 11(1) of O. Reg. 419/05;
57. "Source Testing Code" means the Ontario Source Testing Code, dated June 2010, prepared by the Ministry, as amended;
58. "Test Contaminants" means the contaminants listed in Schedule C;
59. "Toxicologist" means a qualified professional currently active in the field of risk assessment and toxicology that has a combination of formal university education, training and experience necessary to assess contaminants;
60. "Trained Personnel" means one or more Facility personnel trained in accordance with the requirements of the Waste Approval, including an employee trained or knowledgeable through instruction and/or practice and able to carry out any necessary duties related to the operation of the Equipment and procedures to be followed in the event of a process or an emergency situation;
61. "Trucks" means bulk solid waste truck(s), liquid waste truck(s) and residual/disposal and containerized wastes truck(s);

62. "Waste Approval" means the Environmental Compliance Approval and any Schedules attached to it, including the application and its supporting documentation for activities set out in section 27 of the EPA and carried out at the Facility; and
63. "Written Summary Form" means the electronic questionnaire form, available on the Ministry website, and supporting documentation, that documents the activities undertaken at the Facility in the previous calendar year.

*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. GENERAL**

1. Except as otherwise provided by this Approval, the Facility shall be designed, developed, built, operated and maintained in accordance with the terms and conditions of this Approval and in accordance with the following Schedules attached hereto:
  - Schedule A - Supporting Documentation
  - Schedule B - Biofilter and Bioscrubber Parameters
  - Schedule C - Test Contaminants
  - Schedule D - Source Testing Procedures
  - Schedule E - Procedure to Calculate and Record the 10-minute Average Concentration of Odour
  - Schedule F - Continuous Temperature Monitoring and Recording System Requirements

### **2. LIMITED OPERATIONAL FLEXIBILITY**

1. Pursuant to section 20.6 (1) of the EPA and subject to Conditions 2.2 and 2.3 of this Approval, future construction, alterations, extensions or replacements are approved in this Approval if the future construction, alterations, extensions or replacements are Modifications to the Facility that:
  - a. are within the scope of the operations of the Facility as described in the Description Section of this Approval;
  - b. do not result in an increase of the Facility Production Limit above the level specified in the Description Section of this Approval; and



c. result in compliance with the performance limits as specified in Condition 4.

2. Condition 2.1 does not apply to,

a. the addition of any new Equipment with Specific Operational Limits or to the Modification of any existing Equipment with Specific Operational Limits at the Facility; and

b. Modifications to the Facility that would be subject to the Environmental Assessment Act.

3. Condition 2.1 of this Approval shall expire ten (10) years from the date of this Approval, unless this Approval is revoked prior to the expiry date. The Company may apply for renewal of Condition 2.1 of this Approval by including an ESDM Report and an Acoustic Assessment Report that describes the Facility as of the date of the renewal application.

### **3. REQUIREMENT TO REQUEST AN ACCEPTABLE POINT OF IMPINGEMENT CONCENTRATION**

1. Prior to making a Modification to the Facility that satisfies Condition 2.1.a. and 2.1.b., the Company shall prepare a proposed update to the ESDM Report to reflect the proposed Modification.

2. The Company shall request approval of an Acceptable Point of Impingement Concentration for a Compound of Concern if the Compound of Concern is not identified in the ACB list as belonging to the category "Benchmark 1" and a proposed update to an ESDM Report indicates that one of the following changes with respect to the concentration of the Compound of Concern may occur:

a. The Compound of Concern was not a Compound of Concern in the previous version of the ESDM Report and

i. the concentration of the Compound of Concern exceeds the concentration set out for the contaminant in the ACB list; or

ii. the Compound of Concern is not identified in the ACB list; or

b. The concentration of the Compound of Concern in the updated ESDM Report exceeds the higher of,

i. the most recent Acceptable Point of Impingement Concentration, and

ii. the concentration set out for the contaminant in the ACB list, if the contaminant is identified in that document.

3. The request required by Condition 3.2 shall propose a concentration for the

Compound of Concern and shall contain an assessment, performed by a Toxicologist, of the likelihood of the proposed concentration causing an adverse effect at Points of Impingement.

4. If the request required by Condition 3.2 is a result of a proposed Modification described in Condition 3.1, the Company shall submit the request, in writing, to the Director at least 30 days prior to commencing to make the Modification. The Director shall provide written confirmation of receipt of this request to the Company.
5. If a request is required to be made under Condition 3.2 in respect of a proposed Modification described in Condition 3.1, the Company shall not make the Modification mentioned in Condition 3.1 unless the request is approved in writing by the Director.
6. If the Director notifies the Company in writing that the Director does not approve the request, the Company shall,
  - a. revise and resubmit the request; or
  - b. notify the Director that it will not be making the Modification.
7. The re-submission mentioned in Condition 3.6 shall be deemed a new submission under Condition 3.2.
8. If the Director approves the request, the Company shall update the ESDM Report to reflect the Modification.
9. Condition 3 does not apply if Condition 2.1 has expired.

#### **4. PERFORMANCE LIMITS**

1. Subject to Condition 4.2, the Company shall not discharge or cause or permit the discharge of a Compound of Concern into the air if,
  - a. the Compound of Concern is identified in the ACB list as belonging to the category "Benchmark 1" and the discharge results in the concentration at a Point of Impingement exceeding the Benchmark 1 concentration; or
  - b. the Compound of Concern is not identified in the ACB list as belonging to the category "Benchmark 1" and the discharge results in the concentration at a Point of Impingement exceeding the higher of,
    - i. if an Acceptable Point of Impingement Concentration exists, the most recent Acceptable Point of Impingement Concentration, and
    - ii. the concentration set out for the contaminant in the ACB list, if the contaminant is identified in that document.
2. Condition 4.1 does not apply if the benchmark set out in the ACB list has a

10-minute averaging period and no ambient monitor indicates an exceedance at a Point of Impingement where human activities regularly occur at a time when those activities regularly occur.

3. The Company shall operate any Equipment with Specific Operational Limits approved by this Approval in accordance with the Original ESDM Report and Conditions in this Approval.

## 5. NOISE

### 1. The Company shall:

- a. construct Facility, implement and operate the Equipment/Facility as outlined in the Acoustic Assessment Report dated January 12, 2021 and signed by Michael Masschaele, GHD;
- b. implement the Noise Control Measures as outlined in the Acoustic Assessment Report;
- c. ensure that, following construction completion and the installation and commissioning of Equipment and Noise Control Measures the noise emissions from the Facility/Equipment comply with the limits set out in Ministry Publication NPC-300;
- d. maintain no idling policy (with the exception of the waste trucks idling for the equivalent of no longer than 3 minutes per truck per weight scale visit), minimum queuing period and enforce an on-site maximum speed limit of 25 km/hr at the Facility property;
- e. ensure that any and all Trucks arrive at and depart from the Facility during the daytime hours only, from 7 a.m. to 7 p.m., in accordance to the table from Section 2 of the Acoustic Assessment Report and with the following:
  - i. limit Trucks arrivals and departures during the daytime hours from 7 a.m. to 7 p.m. on weekdays (Monday to Friday) in accordance with the following:
    - i. a maximum of four (4) bulk solid waste trucks per sixty (60) minute period;
    - ii. a maximum of two (2) residual/disposal and containerized wastes trucks per sixty (60) minute period; and
    - iii. a maximum of one (1) liquid waste truck per sixty (60) minute period;
  - ii. limit Trucks arrivals and departures during the daytime hours from 7 a.m. to 7 p.m. on Saturday in accordance with the following:

- i. a maximum of two (2) bulk solid waste trucks per sixty (60) minute period;
    - ii. a maximum of one (1) residual/disposal and containerized wastes trucks per sixty (60) minute period; and
    - iii. a maximum of one (1) liquid waste truck per sixty (60) minute period; and
  - iii. no Trucks on Sundays.
  - f. ensure that all overhead doors of Sludge Drying building, and the Organics Receiving Building, remain fully closed at all times, with the exception of Trucks entering and exiting or when Trucks delivering containerized waste have fully engaged with the loading dock seal; and
  - g. 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.

#### **6. UPDATED ACOUSTIC ASSESSMENT REPORT**

1. The Company shall submit, not later than twelve (12) months from the date of this Approval and prior start of construction, an updated Acoustic Assessment Report, to the District Manager and the Director, for approval by the Director. If required, the updated Acoustic Assessment Report shall incorporate a Revised Noise Abatement Action Plan including:
- a. a detailed description of the proposed Noise Control Measures, including individual acoustical performance specifications, such as octave band insertion and transmission losses and barrier dimensions, to reduce the noise emissions from the Facility to comply with the sound level limits set in Publication NPC-300; and
  - b. a detailed timetable for implementation of the Noise Control Measures.

#### **7. BIOFILTER AND BIOSCRUBBER MONITORING**

1. The Company shall monitor and record the physical parameters of the Biofilter and Bioscrubber as outlined in Schedule B.
2. The Company shall provide quarterly reports to the District Manger on the first of March, June, September and December of each year on the results of the monitoring required by Condition 7.1 including a comparison of monitored parameters to design levels.

## **8. SOURCE TESTING**

1. The Company shall perform annual Source Testing in accordance with the procedure outlined in Schedule D of this Approval, to determine the rate of emission of the Test Contaminants from the Air Treatment System exhaust. The first Source Testing program shall be conducted within one (1) year of the date of this Approval or within six (6) months of the the first receipt of Organic Waste at the Facility, whichever comes later.

## **9. ENCLOSED FLARE**

1. The Company shall operate the enclosed flare in such a manner that:
  - a. The temperature in the combustion chamber, is maintained at a minimum of 760 degrees Celsius at all times, when the enclosed flare is in operation; and
  - b. The residence time of the combustion gases in the combustion chamber of the enclosed flare shall not be less than 0.7 seconds at a temperature of 760 degrees Celsius.
2. The Company shall continuously monitor the temperature in the combustion chamber of the enclosed flare. The temperature monitor and recorder shall shall comply with the requirements outlined in Schedule F.

## **10. ODOUR CONTROL**

1. The Company shall take measures to minimize odourous emissions from all potential sources at the Facility.
2. The Company shall ensure that:
  - a. the fully enclosed Organics Receiving Building is designed and constructed such that the potential for air leakages from the Organics Receiving Building is minimized;
  - b. at all times, the air from the fully enclosed Organics Receiving Building is collected and treated using the fully functional Air Treatment System;
  - c. all aspects of solid Organic Waste receiving and processing are undertaken in the fully enclosed Organics Receiving Building, as approved in this Approval;
  - d. the Organic Waste is processed in the approximate order of receipt;
  - e. all doors in the fully enclosed Organics Receiving Building are kept closed at all times, except during shipping and/or receiving, and for operational/maintenance access;
  - f. all bay doors in the fully enclosed Organics Receiving Building are fast acting doors design;

- g. the exterior bay doors are not opened at the same time as the interior door of the same receiving bay;

3. The Company shall ensure that:

- a. the fully enclosed Organics Receiving Building is maintained, at all times, under adequate negative pressure (rolling arithmetic average over 30 minute period) as compared to the ambient atmospheric pressure, excluding any time periods of Malfunction;
- b. the negative pressure and negative air balance for the enclosed Organics Receiving Building are monitored and recorded every five minutes (rolling arithmetic average over 30 minute period), utilizing negative pressure and negative air balance data every second;
- c. the fully enclosed Organics Receiving Building is equipped with negative pressure differential sensor(s) at a location(s) appropriate to avoid atmospheric interference;
- d. the opening and closing of the bay doors, the negative pressure differential sensor(s) and the ventilation systems are interlocked, monitored and controlled through the same SCADA control system to maintain adequate negative air balance and negative air pressure within the fully enclosed Organics Receiving Building;
- e. the fan blower associated with the ventilation system in the fully enclosed Organics Receiving Building is equipped with an alarm for loss of suction, which is integrated to the SCADA control system to indicate system failure and prompt the bay doors to remain in closed position;

4. If at any time, the Company cannot maintain adequate negative pressure as compared to the ambient atmospheric pressure (rolling arithmetic average over 30 minute period) and/or negative air balance (rolling arithmetic average over 30 minute period) within the fully enclosed Organics Receiving Building, then the Company shall:

- a. ensure that critical alarms are generated and promptly communicated to the Trained Personnel so that corrective action(s) can be undertaken;
- b. notify the District Manager within 24 hours of losing the negative pressure as compared to the ambient atmospheric pressure (rolling arithmetic average over 30 minute period) and/or negative air balance (rolling arithmetic average over 30 minute period), or within the period as directed or agreed to in writing by the District Manager; and
- c. prepare, retain a copy at the Facility and submit to the District Manager, a daily written report within one (1) week of losing the negative pressure

(rolling arithmetic average over 30 minute period) or negative air balance (rolling arithmetic average over 30 minute period), identifying all possible causes for losing the negative pressure (rolling arithmetic average over 30 minute period) or negative air balance (rolling arithmetic average over 30 minute period), actions taken to resolve the identified cause(s) and any recommendations for remedial measures, and managerial or operational changes to reasonably avoid the recurrence of similar incidents.

#### **11. ODOUR MANAGEMENT PLAN**

1. The Company shall implement the Odour Management Plan for the control of odour emissions resulting from the operation of the Facility. The Company shall update the Odour Management Plan as necessary or at the direction of the District Manager.

#### **12. ODOUR MONITORING PROGRAM**

1. The Company shall prepare and submit to the District Manager, not later than three (3) months prior to the receipt of Organic Waste at the Facility, an Odour Monitoring Program.
2. The Odour Monitoring Program shall be designed to detect and identify odour originating from the operation of the Facility.
3. The Odour Monitoring Program shall be implemented after written authorization from the District Manager has been received.
4. The Company shall obtain written authorization from the District Manager prior to the implementation of any changes to the Odour Monitoring Program.

#### **13. VENTILATION ASSESSMENT**

1. The Company shall develop a negative pressure assessment plan, prepared by a Professional Engineer, not later than five (5) months prior to receipt of any Organic Waste at the Facility, or as directed or agreed to in writing by the District Manager, for performing negative pressure assessment for the fully enclosed Organics Receiving Building and for identifying ideal methodology for achieving and monitoring negative pressure. The plan shall include as a minimum, but not limited to, the following:
  - a. drawings showing
    - i. layout of the Facility;
    - ii. identification of enclosures, if required; and
    - iii. proposed locations for the pressure monitoring sensors for each enclosure;

- b. details of the monitoring instruments;
  - c. identification of:
    - i. pressure monitoring sensor technology, numbers, location of negative pressure monitoring sensors within the fully enclosed Organics Receiving Building to avoid false positive readings;
    - ii. weather and other atmospheric impacts; and
    - iii. ideal target negative pressure and negative air balance for the fully enclosed Organics Receiving Building including the need to install any additional fans required to maintain target negative pressure and negative air balance within the fully enclosed Organics Receiving Building;
  - d. impacts of the bay doors operating practices, including a recommendation on appropriate face-velocity on doors and entranceways;
  - e. air changes in the Organics Receiving Building with a recommendation of minimum air exchanges;
  - f. instrument calibration schedule;
  - g. data collection, logging and reporting frequency;
  - h. alarm levels and triggers;
  - i. consideration of remedial actions if an alarm is triggered;
  - j. an evaluation of the negative pressure and air balance inside the fully enclosed Organics Receiving Building;
  - k. the monitoring period duration for the negative pressure assessment for the fully enclosed Organics Receiving Building;
  - l. frequency and methodology for performing the negative pressure assessment;
  - m. smoke test;
  - n. detailed evaluation of the SCADA control system associated with negative pressure ventilation, including adequacy and accuracy;
  - o. notification requirement to the District Manager; and
  - p. reporting on the negative pressure assessment, including an analysis of the results and recommendations.
2. The Company shall perform the negative pressure assessment for the fully enclosed Organics Receiving Building, not later than two (2) months prior to receipt of any Organic Waste at the Facility, or as directed or agreed to in



writing by the District Manager.

3. The Company shall submit a report, prepared by a Professional Engineer, on the negative pressure assessment for the fully enclosed Organics Receiving Building to the Director and the District Manager not later than one (1) month prior to receipt of any Organic Waste at the Facility. The report shall include but not be limited to:
  - a. an executive summary;
  - b. description of the building ventilation and negative pressure monitoring system;
  - c. results of the negative pressure assessment, including an indication of,
    - i. whether the ventilation system serving the Organics Receiving Building is capable of achieving and maintaining 1) at all times, adequate negative pressure (rolling arithmetic average over 30 minute period) as compared to the ambient atmospheric pressure, excluding any time periods of Malfunction, 2) at all times, adequate negative air balance (rolling arithmetic average over 30 minute period), excluding any time periods of Malfunction, 3) the appropriate face-velocity on doors and entranceways, and 4) the appropriate number of air changes per hour in the Organics Receiving Building;
    - ii. whether the negative pressure monitoring system follows ideal methodology for data collection, monitoring and reporting of the negative pressure within the Organics Receiving Building;
    - iii. whether any part of the negative pressure ventilation and monitoring system is inadequate for the purposes of odour containment within the Organics Receiving Building;
  - d. recommendations including the need to install any additional fans or ducting required to maintain the appropriate face-velocity on doors and entranceways, and to maintain the target air changes per hour in the Organics Receiving Building, as well as the target negative pressure and target negative air balance within the Organics Receiving Building;
4. The Company shall implement the recommendations identified in the negative pressure assessment report, prior to receipt of any Organic Waste at the Facility, or as directed or agreed to in writing by the District Manager.
5. If the District Manager is of the opinion that, the ventilation system, or part thereof, is not adequately maintaining negative pressure within the Organics Receiving Building, or the negative pressure assessment is not prepared in accordance with the negative pressure assessment plan required by this

Approval, then the District Manager may require re-assessment of the ventilation system.

#### **14. DOCUMENTATION REQUIREMENTS**

1. The Company shall maintain an up-to-date Log.
2. No later than March 31 in each year, the Company shall update the Acoustic Assessment Report and shall update the ESDM Report in accordance with section 26 of O. Reg. 419/05 so that the information in the reports is accurate as of December 31 in the previous year.
3. The Company shall make the Emission Summary Table (see section 27 of O. Reg. 419/05) and Acoustic Assessment Summary Table available for examination by any person, without charge, by posting it on the Internet or by making it available during regular business hours at the Facility.
4. The Company shall, within three (3) months after the expiry of Condition 2.1 of this Approval, update the ESDM Report and the Acoustic Assessment Report such that the information in the reports is accurate as of the date that Condition 2.1 of this Approval expired.
5. Conditions 14.1 and 14.2 do not apply if Condition 2.1 has expired.

#### **15. REPORTING REQUIREMENTS**

1. Subject to Condition 15.2, the Company shall provide the Director no later than June 30 of each year, a Written Summary Form to be submitted through the Ministry's website that shall include the following:
  - a. a declaration of whether the Facility was in compliance with section 9 of the EPA, O. Reg. 419/05 and the conditions of this Approval;
  - b. a summary of each Modification satisfying Condition 2.1.a. and 2.1.b. that took place in the previous calendar year that resulted in a change in the previously calculated concentration at a Point of Impingement for any Compound of Concern or resulted in a change in the sound levels reported in the Acoustic Assessment Summary Table at any Point of Reception.
2. Condition 15.1 does not apply if Condition 2.1 has expired.

#### **16. OPERATION AND MAINTENANCE**

1. The Company shall prepare and implement, prior to the receipt of any Organic Waste at the Facility, operating procedures and maintenance programs for all Processes with Significant Environmental Aspects, which shall specify as a minimum:
  - a. frequency of inspections and scheduled preventative maintenance;

- b. frequency of monitoring of the parameters of the Biofilter and Bioscrubber and procedures to record the results of the monitoring;
  - c. a list of critical spare parts for the Air Treatment System and their storage location;
  - d. the frequency of inspection and replacement of the activated carbon in the activated carbon units;
  - e. procedures to prevent upset conditions;
  - f. procedures to minimize all fugitive emissions;
  - g. procedures to prevent and/or minimize odorous emissions;
  - h. procedures to prevent and/or minimize noise emissions; and
  - i. procedures for record keeping activities relating to the operation and maintenance programs.
2. The Company shall maintain, in the Facility, an inventory of critical spare parts for the Air Treatment System that can be installed in the event of failure.
  3. The Company shall ensure that the activated carbon in each activated carbon unit at the Facility is replaced before it is Exhausted.
  4. The Company shall ensure that all Processes with Significant Environmental Aspects are operated and maintained in accordance with this Approval, the operating procedures and maintenance programs.

## **17. COMPLAINTS RECORDING AND REPORTING**

1. A designated representative for the Company shall be available to receive environmental complaints twenty-four (24) hours per day, seven (7) days per week. The telephone number for the designated representative for the Company shall be clearly posted at the entrance to the Facility.
2. If at any time, the Company receives an environmental complaint from the public regarding the operation of the Equipment approved by this Approval, the Company shall take the following steps:
  - a. Step 1: Receipt of Complaint - The Company shall record each complaint in a computerized tracking system. The information recorded shall include the following:
    - i. the name, address and the telephone number (or contact information) of the complainant, if known;
    - ii. the date and time of the complaint; and
    - iii. details of the complaint, including the description and duration of the incident.

- b. Step 2: Investigation of Complaint - After the complaint has been received by the Company and recorded in the tracking system, the Company shall, immediately notify, either the District Manager by phone during office hours or the Ministry's Spills Action Centre at 1-800-268-6060 after office hours. The Company shall immediately initiate investigation of the complaint. The investigation shall include, as a minimum, the following:
    - i. determination of the activities undertaken at the Facility at the time of the complaint;
    - ii. general meteorological conditions including, but not limited to the ambient temperature, approximate wind speed and its direction, sunny versus cloudy, inversion versus clear and windy, etc. at the time of the complaint;
    - iii. location of the person who submitted the complaint, if known, at the time of the incident; and
    - iv. determination if the complaint is attributed to activities being undertaken at the Facility and if so, determination of all the possible cause(s) of the complaint;
  - c. Step 3: Corrective Action - The Company shall determine the remedial action(s) to address the cause(s) of the complaint and implement the remedial action(s) to eliminate the cause(s) of the complaint, as soon as practicably possible, and to prevent a similar occurrence in the future.
  - d. Step 4: Written Response - The Company shall forward a formal reply to the complainant, if known and to the District Manager within one (1) week after the receipt of the complaint. The response shall include the results of the investigation of the complaint, the action(s) taken or planned to be taken to address the cause(s) of the complaint, and if follow-up response would be provided.
  - e. Step 5: Recording - All of the information collected and actions taken must be recorded in the tracking system.
3. If the District Manager deems the remedial measures taken as per Condition 17.2(c) to be unsuitable, insufficient or ineffective, the District Manager may direct the Company, in writing, pursuant to the remedial order section (s.17) or the preventative measures order section (s.18) of the EPA to take further measures to address the noted failure, upset or malfunction, including but not limited to the following:
    - a. reduction in the receipt of the waste;

- b. cessation of the receipt of the waste;
- c. removal and off-site disposal of waste; and
- d. repairs or modifications to the equipment or processes at the Facility, that may include the following actions:
  - i. the Company may prohibit use of specific doors under some circumstances or atmospheric conditions;
  - ii. the Company may increase the magnitude of the negative pressure to be maintained in the Organics Receiving Building;
  - iii. the Company may increase the number of air exchanges in the areas suspected of causing fugitive odour emissions escaping from the Organics Receiving Building; and
  - iv. the Company may retrofit the design of the ventilation system within the Organics Receiving Building to provide a more effective local capture of the odours from the odour sources within the Organics Receiving Building; and
- e. further investigation of possible sources of fugitive air emissions from the Facility as follows:
  - i. the Company shall develop a plan, prepared by a Professional Engineer, for assessment of other possible sources of fugitive air emissions originating from the Organic Waste received and processed at the Facility;
  - ii. the Company shall conduct the assessment of other possible sources of fugitive air emissions, as directed or agreed by the District Manager as per the plan prepared in accordance with Condition 17.3(e)(i) of this Approval;
  - iii. the Company shall prepare and submit a report prepared by a Professional Engineer on the assessment of other possible sources of fugitive air emissions to the Director and the District Manager within two (2) months after completing the assessment of other possible sources of fugitive air emissions; and
  - iv. implement the recommendations identified in the assessment of other possible sources of fugitive air emissions report within two (2) months after completing the assessment of other possible sources of fugitive air emissions or as directed or agreed by the District Manager.

## 18. RECORD KEEPING REQUIREMENTS

1. Any information requested by any employee in or agent of the Ministry concerning the Facility and its operation under this Approval, including, but not limited to, any records required to be kept by this Approval, shall be provided to the employee in or agent of the Ministry, upon request, in a timely manner.
2. Unless otherwise specified in this Approval, the Company shall retain, for a minimum of five (5) years from the date of their creation all reports, records and information described in this Approval, including,
  - a. a copy of the Original ESDM Report and each updated version;
  - b. a copy of each version of the Acoustic Assessment Report;
  - c. supporting information used in the emission rate calculations performed in the ESDM Reports and Acoustic Assessment Reports;
  - d. the records in the Log;
  - e. copies of each Written Summary Form provided to the Ministry under Condition 15.1 of this Approval;
  - f. all records produced by Source Testing;
  - g. all records produced by the continuous temperature monitoring system;
  - h. a copy of the Odour Management Plan;
  - i. records of maintenance, repair and inspection of Equipment related to all Processes with Significant Environmental Aspects; and
  - j. all records related to environmental complaints made by the public as required by Condition 17 of this Approval.

## **19. REVOCATION OF PREVIOUS APPROVALS**

1. This Approval replaces and revokes all Certificates of Approval (Air) issued under section 9 EPA and Environmental Compliance Approvals issued under Part II.1 EPA to the Facility in regards to the activities mentioned in subsection 9(1) of the EPA and dated prior to the date of this Approval.

## **20. ACOUSTIC AUDIT**

1. The Company shall carry out Acoustic Audit measurements on the actual noise emissions due to the operation of the Facility. The Company:
  - a. shall carry out Acoustic Audit measurements in accordance with the procedures in Publication NPC-103;
  - b. shall submit an Acoustic Audit Report on the results of the Acoustic Audit, prepared by an Independent Acoustical Consultant, in accordance with the requirements of Publication NPC-233, to the District Manager

and the Director, not later than four (4) months after full construction completion and commencement of the Equipment operation at the Facility.

2. The Director

- a. may not accept the results of the Acoustic Audit if the requirements of Publication NPC-233 were not followed; and
- b. may require the Company to repeat the Acoustic Audit if the results of the Acoustic Audit are found unacceptable to the Director.

## **SCHEDULE A**

### **Supporting Documentation**

1. Environmental Compliance Approval Application, dated January 21, 2020, signed by Richard Weldon, Director and submitted by the Company;
2. Emission Summary and Dispersion Modelling Report, prepared by Matthew Griffin, GHD Limited and dated January 21, 2020;
3. Acoustic Assessment Reports, prepared by Michael Masschaele, GHD Limited and dated January 31, 2020, August 14, 2020, October 23, 2020, December 21, 2020 and January 12, 2021;
4. Additional information provided by Matthew Griffin, GHD Limited in letters dated August 14, 2020, September 25, 2020, December 22, 2020, March 12, 2021, May 21, 2021; and
5. Additional information provided by Matthew Griffin, GHD Limited in emails dated June 18, 2021, July 7, 2021, July 23, 2021 and July 30, 2021.
6. Additional information provided by Michael Masschaele, GHD Limited in emails dated July 16, 2020, August 14, 2020, September 30, 2020, October 16, 2020, October 23, 2020, December 22, 2020, January 13, 2021 and January 15, 2021; and
7. Additional information provided by Joel Mickelson, General Counsel, Romspen Investment Corporation in a letter dated October 16, 2020.

## **SCHEDULE B**

### **Biofilter and Bioscrubber Parameters**

The Company shall monitor and record the operating parameters of the Biofilter and Bioscrubber, through a combination of sensors, meters, physical probes or equivalent

means, as recommended by the supplier of the Biofilter and Bioscrubber. In the development of the monitoring program for the Biofilter and Bioscrubber, the following physical parameters and monitoring frequency shall be considered:

1. pressure drop across the Biofilter and Bioscrubber beds (kilopascals), daily to weekly;
2. process air flow through the Biofilter and Bioscrubber (cubic metres per second), daily;
3. Biofilter bed and Bioscrubber bed moisture (percent), weekly;
4. Biofilter bed and Bioscrubber bed temperature (degrees Celcius), hourly to daily;
5. inlet air temperature after the pre-humidification chamber (degrees Celsius), hourly to daily;
6. inlet air relative humidity after the pre-humidification chamber (percent), daily
7. pH of water runoff from Biofilter bed and Bioscrubber bed, monthly; and
8. water flow in the pre-humidification chamber and the media irrigation system, daily.

## **SCHEDULE C**

### **Test Contaminants**

1. Odour
2. Total Reduced Sulphur Compounds

## **SCHEDULE D**

### **Source Testing Procedures**

1. The Company shall submit, not later than three (3) months prior to the Source Testing, to the Manager a Pre-Test Plan for the Source Testing required under this Approval. The Company shall finalize the Pre-Test Plan in consultation with the Manager.
2. The Company shall not commence the Source Testing required under this Approval until the Manager has approved the Pre-Test Plan.
3. The Company shall complete the Source Testing not later than three (3) months after the Manager has approved the Pre-Test Plan, or within a period agreed to or directed by the Manager.
4. The Company shall notify the Manager, the District Manager and the Director in



writing of the location, date and time of any impending Source Testing required by this Approval, at least fifteen (15) days prior to the Source Testing.

5. The Company shall submit a report (electronic format) on the Source Testing to the Manager, the District Manager and the Director not later than three (3) months after completing the Source Testing. The report shall be in the format described in the Source Testing Code, and shall also include, but not be limited to:
  1. an executive summary;
  2. an identification of the applicable North American Industry Classification System code (NAICS) for the Facility;
  3. records of weather conditions such as ambient temperature and relative humidity, wind speed and direction, and any environmental complaints if received, at the time of the Source Testing;
  4. records of operating conditions at the time of Source Testing, including but not limited to the following:
    - a. production data and equipment operating rate as a percentage of maximum capacity;
    - b. Facility/process information related to the operation of the Air Treatment System;
    - c. description of the emission sources controlled by the Air Treatment System at the time of testing;
  5. results of Source Testing, including the emission rate, emission concentration, and relevant emission factor of the Test Contaminants from the Air Treatment System;
  6. a tabular comparison of calculated emission rates and emission factors based on Source Testing results for the Test Contaminants to relevant estimates described in the ESDM Report, and
  7. the results of dispersion calculations, taking into account all odour sources at the Facility, using the average of the results of the Source Testing, to indicate the maximum 10-minute concentration of odour at the Point of Impingement and the most impacted Sensitive Receptor computed in accordance with Schedule E.

6. The Director may not accept the results of the Source Testing if:
  1. the Source Testing Code or the requirement of the Manager were not followed;
  2. the Company did not notify the Manager, the District Manager and Director of the Source Testing; or
  3. the Company failed to provide a complete report on the Source Testing.
7. If the Director does not accept the result of the Source Testing, the Director may require re-testing. If re-testing is required, the Pre-Test Plan strategies need to be revised and submitted to the Manager for approval. The actions taken to minimize the possibility of the Source Testing results not being accepted by the Director must be noted in the revision.
8. The Company shall update their ESDM Report in accordance with Section 26 of O. Reg. 419/05 and the Procedure Document with the results from the Source Testing if any of the calculated emission factors or calculated emission rates are higher than the predicted rates in the ESDM Report, not later than three (3) months after the submission of the Source Testing report and make these records available for review by staff of the Ministry upon request.

## **SCHEDULE E**

### **Procedure to Calculate and Record the 10-minute Average Concentration of Odour**

1. Calculate and record one-hour average concentration of odour at the Point of Impingement and at the most impacted Sensitive Receptor, employing the AERMOD atmospheric dispersion model or any other model acceptable to the Director, that employs at least five (5) years of hourly local meteorological data and that can provide results reported as individual one-hour average odour concentrations;
2. Convert and record each of the one-hour average concentrations predicted over the five (5) years of hourly local meteorological data at the Point of Impingement and at the most impacted Sensitive Receptor to 10-minute average concentrations using the One-hour Average to 10-Minute Average Conversion described below; and
3. Record and present the 10-Minute Average concentrations predicted to occur over a five (5) year period at the Point of Impingement and at the most impacted Sensitive Receptor in a histogram. The histogram shall identify all predicted 10-

minute average odour concentration occurrences in terms of frequency, identifying the number of occurrences over the entire range of predicted odour concentration in increments of not more than 1/10 of one odour unit. The maximum 10-minute average concentration of odour at the Sensitive Receptor will be considered to be the maximum odour concentration at the most impacted Sensitive Receptor that occurs and is represented in the histogram, disregarding outlying data points on the histogram as agreed to by the Director.

4. Use the following formula to convert and record one-hour average concentrations at the Point of Impingement and at the most impacted Sensitive Receptor to 10-minute average concentrations:

$$X_{10\text{min}} = X_{60\text{min}} * 1.65$$

where  $X_{10\text{min}}$  = 10-minute average concentration

$X_{60\text{min}}$  = one-hour average concentration

(Equation: X Subscript 10min Baseline equals X Subscript 60min Baseline times 1.65, where X Subscript 10min Baseline equals 10-minute average concentration and X Subscript 60min Baseline equals one-hour average concentration.)

## **SCHEDULE F**

### **Continuous Temperature Monitoring and Recording System Requirements**

**PARAMETER: Temperature**

**LOCATION:**

The sample point for the continuous temperature monitoring and recording system shall be located at a location where the measurements are representative of the minimum temperature of the gases leaving the combustion chamber of the enclosed flare.

**PERFORMANCE:**

The continuous temperature monitoring and recording system shall meet the following minimum performance specifications for the following parameters:

Type: shielded "K" type thermocouple, or equivalent

Accuracy: ±1.5 percent of the minimum gas temperature

**DATA RECORDER:**

The data recorder must be capable of registering continuously the measurement of the monitoring system without a significant loss of accuracy and with a time resolution of one (1) minute or better.

**RELIABILITY:**

The monitoring system shall be operated and maintained so that accurate data is obtained during a minimum of 95 percent of the time for each calendar quarter.

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

**1. GENERAL**

Condition No. 1 is included to require the Approval holder to build, operate and maintain the Facility in accordance with the Supporting Documentation in Schedule A considered by the Director in issuing this Approval.

**2. LIMITED OPERATIONAL FLEXIBILITY, REQUIREMENT TO REQUEST AN ACCEPTABLE POINT OF IMPINGEMENT CONCENTRATION AND PERFORMANCE LIMITS**

Conditions No. 2, 3 and 4 are included to limit and define the Modifications permitted by this Approval, and to set out the circumstances in which the Company shall request approval of an Acceptable Point of Impingement Concentration prior to making Modifications. The holder of the Approval is approved for operational flexibility for the Facility that is consistent with the description of the operations included with the application up to the Facility Production Limit. In return for the operational flexibility, the Approval places performance based limits that cannot be exceeded under the terms of this Approval. Approval holders will still have to obtain other relevant approvals required to operate the Facility, including requirements under other environmental legislation such as the Environmental Assessment Act.

**3. NOISE**

Condition 5 is included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the Facility.

**4. UPDATED ACOUSTIC ASSESSMENT REPORT**

Condition 6 is included to require the Company to submit an updated Acoustic Assessment Report incorporating a Revised Noise Abatement Action Plan to reduce the noise emissions from the Facility to comply with the applicable limits set in the Ministry's Noise Guidelines.

**5. BIOFILTER AND BIOSCRUBBER MONITORING AND SOURCE TESTING**

Conditions 7 and 8 are included to require the Company to gather accurate

information so that compliance with the operating requirements of this Approval can be verified.

**6. ENCLOSED FLARE**

Condition No. 9 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 and to gather accurate information so that compliance with the operating requirements of this Approval can be verified.

**7. ODOUR CONTROL**

Condition 10 is included to require the Company to properly operate and maintain the Facility/Equipment to minimize impact to the environment.

**8. ODOUR MANAGEMENT PLAN**

Condition No. 11 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.

**9. ODOUR MONITORING PROGRAM AND VENTILATION ASSESSMENT**

Conditions No. 12 and 13 are included to require the Company to gather accurate information so that compliance with the EPA, the Regulations and this Approval can be verified and to prevent an adverse effect resulting from the operation of the Facility.

**10. DOCUMENTATION REQUIREMENTS**

Condition No. 14 is included to require the Company to maintain ongoing documentation that demonstrates compliance with the performance limits as specified in Condition 4 of this Approval and allows the Ministry to monitor ongoing compliance with these performance limits. The Company is required to have an up to date ESDM Report and Acoustic Assessment Report that describe the Facility at all times and make the Emission Summary Table and Acoustic Assessment Summary Table from these reports available to the public on an ongoing basis in order to maintain public communication with regard to the emissions from the Facility.

**11. REPORTING REQUIREMENTS**

Condition No. 15 is included to require the Company to provide a yearly Written Summary Form to the Ministry, to assist the Ministry with the review of the site's compliance with the EPA, the Regulations and this Approval.

**12. OPERATION AND MAINTENANCE**

Condition No. 16 is included to require the Company to properly operate and maintain the Processes with Significant Environmental Aspects to minimize the impact to the environment from these processes.

**13. COMPLAINTS RECORDING AND REPORTING PROCEDURE**

Condition No. 17 is included to require the Company to respond to any

environmental complaints regarding the operation of the Equipment, according to a procedure that includes methods for preventing recurrence of similar incidents and a requirement to prepare and retain a written report.

**14. RECORD KEEPING REQUIREMENTS**

Condition No. 18 is included to require the Company to retain all documentation related to this Approval and provide access to employees in or agents of the Ministry, upon request, so that the Ministry can determine if a more detailed review of compliance with the performance limits as specified in Condition 4 of this Approval is necessary.

**15. REVOCATION OF PREVIOUS APPROVALS**

Condition No. 19 is included to identify that this Approval replaces all Section 9 Certificate(s) of Approval and Part II.1 Approvals in regards to the activities mentioned in subsection 9(1) of the EPA and dated prior to the date of this Approval.

**16. ACOUSTIC AUDIT**

Condition 20.1 is included to require the Company to gather accurate information so that the environmental impact and subsequent compliance with the EPA, the Regulations and this Approval can be verified.

Condition 20.2 is included to ensure that the Acoustic Audit is carried out in accordance with procedures set in the Ministry's Noise Guidelines.

**Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 8-3157-94-006 issued on July 21, 1994**

*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
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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](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 27th day of October,  
2021

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

KS/  
c: District Manager, MECP York-Durham  
Matthew Griffin, GHD