

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER A-500-9116203528

Version: 1.0

Issue Date: January 9, 2022

Pursuant to section 20.3 of the Environmental Protection Act, R.S.O. 1990, c. E. 19 and subject to all other applicable Acts or regulations this Environmental Compliance Approval is issued to:

RICE AGGREGATES LIMITED22481 KENNEDY ROAD
EAST GWILLIMBURY ONTARIO
L0G 1R0

For the following site:

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) portable crushing plant, used to process rock and demolition concrete and asphalt concrete, having a maximum total throughput rate of 200 tonnes per hour, including the following equipment exhausting to the air:

- one (1) portable impact primary crusher and screener, operating at a maximum material throughput rate of 200 tonnes per hour, equipped with water spray bar to control dust emissions and powered by a diesel fired engine rated 311 kilowatts discharging to the air through a stack having an exit diameter of 0.15 metre and a height of 3.9 metres above grade;
- one (1) conveyor delivering the crushed and screened material to one (1) stacker;
- one (1) stacker powered by a diesel fired engine rated 49.2 kilowatts discharging to the air through a stack having an exit diameter of 0.05 metre and a height of 3.5 metres above grade; and
- fugitive emissions from the handling, temporary storage and transfer of aggregate materials associated with the portable crushing operations;

all in accordance with the Environmental Compliance Approval Application dated December 7, 2020 and signed by Wes Reed, and all supporting information associated with the application including Emission Summary and Dispersion Modelling Report provided by Envirovision Inc., dated December 7, 2020 and signed by Catalin Ionescu, Mihaela Draghici and Wes Reed; and updated air emissions information provided by SDK Environmental Consulting & Services by email dated November 15, 2021 and signed by Chris Scullion; and the Acoustic Assessment Report provided by SDK Environmental, dated December 7, 2020 and signed by Stephan Kuchma, P.Eng.

DEFINITIONS

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 submitted in support of the application, that documents all sources of noise emissions and Noise Control Measures present at the Plant. "Acoustic Assessment Report" also means the Acoustic Assessment Report dated December 10, 2021, prepared and signed by Stephen Kuchma, P.Eng. of SDK Environmental;
2. "Acoustic Barrier" means a barrier or berm positioned such that it completely interrupts the line of sight between the Equipment and the noise sensitive Points of Reception continuous without holes, gaps and other penetrations, and having surface mass of at least 20 kilograms per square metre.
3. "Approval" means this Environmental Compliance Approval, including the application and supporting documentation listed above;
4. "Best Management Practices Plan" means the document titled "Rice Mobile Crusher Best Management Practices v2", dated November 26, 2021, as amended;
5. "Class 1 Area" means an area with an acoustical environment typical of a major population centre, where the background sound level is dominated by the activities of people, usually road traffic, often referred to as "urban hum";
6. "Class 2 Area" means an area with an acoustical environment that has qualities representative of both Class 1 and Class 3 areas:
 - a. sound levels characteristic of Class 1 during daytime (07:00 to 19:00 or to 23:00 hours); and
 - b. low evening and night background sound level defined by natural environment and infrequent human activity starting as early as 19:00 hours (19:00 or 23:00 to 07:00 hours);
7. "Class 3 Area" means a rural area with an acoustical environment that is dominated by natural sounds having little or no road traffic, such as:
 - a. a small community;
 - b. agricultural area;
 - c. a rural recreational area such as a cottage or a resort area; or
 - d. a wilderness area;
8. "Company" means Rice Aggregates Limited 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;
9. "Director" means any Ministry employee appointed by the Minister pursuant to Section 5 of the EPA;
10. "District Manager" means the District Manager of the appropriate local district office of the Ministry, where the Facility is geographically located;
11. "EPA" means the Environmental Protection Act, R.S.O. 1990, c.E.19;
12. "Equipment" means the equipment 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. "Manual" means a document or a set of documents that provide written instructions to staff of the Company;

14. "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;
15. "Noise Control Measures" means measures to reduce the noise emissions from the Plant 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;
16. "Plant" means the entire portable crushing operations, incorporating the Equipment;
17. "Point of Reception" means a Point of Reception as defined in Publication NPC-300, and is subject to the same qualifications described in this document;
18. "Publication NPC-233" means the Ministry Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October, 1995 as amended;
19. "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;
20. "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); and
21. "Silica" means silicon dioxide, quartz, crystabolite or tridymite.

TERMS AND CONDITIONS

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

1. Noise Emissions

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

2. Time Restrictions

1. The Company shall ensure that the Plant is not operated more than sixty (60) calendar days per year at any one site.
2. The Company shall ensure that the Acoustic Barrier, when required, is erected within seven (7) working days of start-up of the Plant and until that time, the Plant operations shall be restricted to the daytime hours of 7 a.m. to 7 p.m., Monday to Friday.
3. The operation of the crusher and the screener shall be restricted to nine (9) hours in any 24-hour period.

3. Minimum Separation Distance to the Nearest Point of Reception

1. The Company shall ensure a minimum separation distance between the Plant and the nearest Point of Reception as specified in **Schedule 1** of this Approval.

4. Noise Control Measures

1. The Company shall ensure that the Acoustic Barrier described in the Acoustic Assessment Report, when required, is implemented at all times during the operation of the Plant.
2. The Company shall ensure that the Acoustic Barrier, when required, is a minimum 8 meters high and 40 meters long, continuous without holes, gaps or other penetrations, and having a surface mass density of at least 20 kilograms per square meter, and that it will be positioned in between the Plant and Points of Reception that require shielding in such a way that the distance from the Acoustic Barrier to the Plant is not greater than 40 meters as specified in **Schedule 1** of this Approval.
3. The Company shall ensure that the Acoustic Barrier, when required, is properly maintained and continues to provide the acoustical performance outlined in the Acoustic Assessment Report.

5. Minimum Separation Distance to the Nearest Sensitive Receptor

1. The Company shall ensure that a minimum separation distance as specified in **Schedule 2** of this Approval is maintained between the Plant and the nearest Sensitive Receptor.

6. Operation and Maintenance

1. The Company shall ensure that the Plant/Equipment is properly operated and maintained at all times. The Company shall:
 - a. prepare, prior to installing the Plant at an intended location, 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 for the Equipment, including but not limited to the water spray bar system for the control of fugitive emissions;
 - ii. emergency procedures;
 - iii. procedure for determining the weight percent of Silica in the material being processed;
 - iv. procedure for determining the moisture content in the material processed;
 - v. procedures for any record keeping activities relating to operation and maintenance of the Plant/Equipment; and
 - vi. all appropriate measures to minimize noise and fugitive dust emissions from all potential sources;
 - b. implement the recommendations of the Manual; and
 - c. retain, for a minimum of two (2) years from the date of their creation, all records on the maintenance, repair and inspection of the Equipment, and make these records available for review by staff of the Ministry upon request.

2. The Company shall monitor and keep records of the weight percent of Silica of all material processed at a Plant site and ensure that the separation distances outlined in Condition 5 of this Approval are maintained;
3. The Company shall implement procedures to monitor and keep records of the moisture content of material processed to ensure that the daily average moisture content of the crushed/screened material is not lower than 2.1%;
4. The Company shall keep records of the operation of the Plant/Equipment including:
 - a. daily production rate;
 - b. daily start-up and shut-down times;
 - c. moisture content and weight percent of Silica in the material being processed; and
 - d. Separation distance between the Plant and Sensitive Receptors.

7. Fugitive Dust Control

1. The Company shall provide effective dust suppression for the Equipment and any other sources of fugitive dust emissions at the Plant.
2. The Company shall update as necessary and implement the Best Management Practices Plan for the control of fugitive dust emissions.
3. The Company shall:
 - a. review and evaluate the Best Management Practices Plan for every operating site;
 - b. record the results of each review and update as required the Best Management Practices Plan within one (1) month of relocating to a new site;
 - c. maintain the updated Best Management Practices Plan at the Plant;
 - d. implement, at all times, the most recent version of the Best Management Practices Plan.

8. 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.

9. 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.

10. 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 operation of the Plant/Equipment, including:
 - i. daily production rate;
 - ii. daily start-up and shut-down times of the Plant/Equipment;
 - iii. moisture content and weight percent of Silica in the materials being processed;
 - iv. separation distance between the plant and Sensitive Receptors
 - 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.

11. 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 the Company personnel responsible for handling the incident.

12. 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 paragraph 1 of this condition.

13. 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 3** of this Approval.

REASONS

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

1. Condition Nos. 1 to 9 are included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the Plant/Equipment and to emphasize that the Plant/Equipment must be maintained and operated according to a procedure that will result in compliance with the EPA, the regulations and this Approval.
2. Condition No. 10 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. Condition Nos. 11 to 13, inclusive, 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.

APPEAL PROVISIONS

In accordance with Section 139 of the *Environmental Protection Act*, you may by written notice served upon me and the Ontario Land Tribunal, within 15 days after the service of this notice, require a hearing by the Tribunal. You must also provide notice to, the Minister of the Environment, Conservation and Parks in accordance with Section 47 of the *Environmental Bill of Rights, 1993* who will place notice of your appeal on the Environmental Registry. Section 142 of the *Environmental Protection Act* provides that the notice requiring the hearing ("the Notice") shall state:

- I. 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;
- II. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The Notice should also include:

- I. The name of the appellant;
- II. The address of the appellant;
- III. The environmental compliance approval number;

- IV. The date of the environmental compliance approval;
- V. The name of the Director, and;
- VI. 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:

Registrar* Ontario Land Tribunal 655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5 OLT.Registrar@ontario.ca	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 <i>Environmental Protection Act</i> Ministry of the Environment, Conservation and Parks 135 St. Clair Avenue West, 1st Floor Toronto, Ontario M4V 1P5
---	-----	---	-----	--

*** Further information on the Ontario Land Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349 or 1 (866) 448-2248, or www.olt.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 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 10th day of January, 2022



Neryed Ragbar

Director

appointed for the purposes of Part II.1 of the Environmental Protection Act

c: Anson Le
 Lynne Paxton, Rice Aggregates Limited

The following schedules are a part of this environmental compliance approval:

SCHEDULE 1

Minimum required Separation Distances from the Plant to the Points of Reception

Table 1: Operating Scenario 1 – Processing Asphalt - without Acoustic Barrier

Publication NPC-300 Acoustical Area	Time of Operation	Sound Level Limit (dBA)	Minimum Separation Distance (metres)
Class 1	Day (7 a.m. to 7 p.m.)	50	410
Class 1	Evening (7 p.m. to 11 p.m.)	50	410
Class 1	Night (11 p.m. to 7 a.m.)	45	710
Class 2	Day (7 a.m. to 7 p.m.)	50	410
Class 2	Evening (7 p.m. to 11 p.m.)	45	710
Class 2	Night (11 p.m. to 7 a.m.)	45	710
Class 3	Day (7 a.m. to 7 p.m.)	45	710
Class 3	Evening (7 p.m. to 11 p.m.)	40	1,165
Class 3	Night (11 p.m. to 7 a.m.)	40	1,165

Table 2: Operating Scenario 2 - Processing Concrete - without Acoustic Barrier

Publication NPC-300 Acoustical Area	Time of Operation	Sound Level Limit (dBA)	Minimum Separation Distance (metres)
Class 1	Day (7 a.m. to 7 p.m.)	50	710
Class 1	Evening (7 p.m. to 11 p.m.)	50	710
Class 1	Night (11 p.m. to 7 a.m.)	45	1,165
Class 2	Day (7 a.m. to 7 p.m.)	50	710
Class 2	Evening (7 p.m. to 11 p.m.)	45	1,165
Class 2	Night (11 p.m. to 7 a.m.)	45	1,165
Class 3	Day (7 a.m. to 7 p.m.)	45	1,165
Class 3	Evening (7 p.m. to 11 p.m.)	40	1,815
Class 3	Night (11 p.m. to 7 a.m.)	40	1,815

Table 3: Operating Scenario 3 - Processing Asphalt - with Acoustic Barrier

Publication NPC-300 Acoustical Area	Time of Operation	Sound Level Limit (dBA)	Minimum Separation Distance (metres)
Class 1	Day (7 a.m. to 7 p.m.)	50	155
Class 1	Evening (7 p.m. to 11 p.m.)	50	155
Class 1	Night (11 p.m. to 7 a.m.)	45	350
Class 2	Day (7 a.m. to 7 p.m.)	50	155
Class 2	Evening (7 p.m. to 11 p.m.)	45	350
Class 2	Night (11 p.m. to 7 a.m.)	45	350
Class 3	Day (7 a.m. to 7 p.m.)	45	350
Class 3	Evening (7 p.m. to 11 p.m.)	40	710
Class 3	Night (11 p.m. to 7 a.m.)	40	710

Table 4: Operating Scenario 4 - Processing Concrete - with Acoustic Barrier

Publication NPC-300 Acoustical Area	Time of Operation	Sound Level Limit (dBA)	Minimum Separation Distance (metres)
Class 1	Day (7 a.m. to 7 p.m.)	50	350
Class 1	Evening (7 p.m. to 11 p.m.)	50	350
Class 1	Night (11 p.m. to 7 a.m.)	45	710
Class 2	Day (7 a.m. to 7 p.m.)	50	350
Class 2	Evening (7 p.m. to 11 p.m.)	45	710
Class 2	Night (11 p.m. to 7 a.m.)	45	710
Class 3	Day (7 a.m. to 7 p.m.)	45	710
Class 3	Evening (7 p.m. to 11 p.m.)	40	1,175
Class 3	Night (11 p.m. to 7 a.m.)	40	1,175

Notes:

The Acoustic Barrier shall have a height of not less than 8 metres above local grade and a length of not less than 40 metres such that it will break the line-of-sight between the Plant and all Points of Reception. The Acoustic Barrier must be located at a distance of not more than 40 metres from the portable crusher / screener.

SCHEDULE 2

Minimum Required Separation Distance(s) to Sensitive Receptors

Silica Weight Percent	Minimum Required Separation Distance measured from any Equipment to Sensitive Receptors (metres)
5% or less	400
15% or less	600
35% or less	900
50% or less	1200
75% or less	1500

SCHEDULE 3

NOTICE OF RELOCATION FOR PORTABLE EQUIPMENT (Form 1)

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. Maximum processing rate (tonnes/hour)
 - d. Types of materials to be processed at the Plant
 - e. Weight percentage of Silica in the 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; and
 - d. land use within 2000 metres from the Equipment.