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Ministry of the Environment, Conservation and Parks
Ministère de l'Environnement, de la Protection de la nature et des Parcs

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 5865-C9WN9D

Issue Date: January 9, 2022

St. Marys Cement Inc. (Canada)
805 Nipissing Road
Milton, Ontario
L9T 4Z5

Site Location: CBM Milton Facility
805 Nipissing Road
Milton Town, Regional Municipality of Halton
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:

one (1) ready-mix concrete batching plant operating at a maximum production rate of 1,260 cubic metres per day, consist of the following equipment and emission sources:

- one (1) passive baghouse dust collector, to control emissions from silo No. 1, complete with polyester filter bags, having a filtering area of 24.5 square metres and a pulse air cleaning system, exhausting passively into the air through a stack, having an exit diameter of 0.8 metre, extending 1.0 metres above the roof and 26.5 metres above grade;
- one (1) passive baghouse dust collector, to control emissions from compartment (a) of the silo No. 2, complete with polyester filter bags, having a filtering area of 24.5 square metres and a pulse air cleaning system, exhausting passively into the air through a stack, having an exit diameter of 0.8 metre, extending 1.0 metres above the roof and 27.0 metres above grade;
- one (1) passive baghouse dust collector, to control emissions from compartment (b) of the silo No. 2, complete with polyester filter bags, having a filtering area of 32 square metres and a pulse air cleaning system, exhausting passively into the atmosphere through a stack, having an exit diameter of 0.6 metre, extending 2.0 metres above the roof and 28.0 metres above grade;
- one (1) baghouse dust collector, to control emissions from the loading point, complete with polyester filter bags, having a filtering area of 56 square meters and pulse air cleaning system, exhausting passively into the air through a stack, having an exit diameter of 0.3 metre, extending 6.0 metres above grade;
- one (1) natural gas fired boiler, having a maximum heat input of 1,055,000 kilojoules per hour, discharging into the air through a stack, having an exit

diameter of 0.7 metre, extending 2.4 metres above the roof and 7.0 metres above grade;

- one (1) natural gas-fired water heater, having a maximum heat input of 4,505,088 kilojoules per hour, discharging into the air through a stack, having an exit diameter of 0.7 metre, extending 2.4 metres above the roof and 7.0 metres above grade;
- fugitive emissions resulting from the delivery, storage, and transfer of materials associated with ready-mix concrete batching operations;

all in accordance with the application for an Environmental Compliance Approval (Air) submitted by St. Marys Cement Inc. (Canada), dated January 13, 2021, and signed by Colin Evans, Director, Lands and Environment; Emission Summary and Dispersion Modelling Report prepared by BCX Environmental Consulting, dated January, 2021; Acoustic Assessment Report prepared by HGC Engineering Limited, dated January 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 and Appendix A of the Basic Comprehensive User Guide, prepared by Swetha Kulandaivelan and Corey Kinart / HGC Engineering Limited and dated January 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 St. Marys Cement Inc. (Canada) 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 for the purpose of section 20.3 of the EPA 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;
8. "Equipment" means the equipment and processes described in the Company's application, this Approval and in the supporting documentation submitted with the application, to the extent approved by this Approval;
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 provide written instructions to staff of the Company;
11. "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;
12. "Ministry" means the ministry of the Minister;
13. "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. It also means the noise control measures outlined in the Acoustic Assessment Report and detailed in Schedule A of this Approval;
14. "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;
15. "Publication NPC-233" means the Ministry Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October, 1995 as amended;
16. "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; and
17. "Technical Bulletin: Management Approaches for Industrial Fugitive Dust Sources" means the Ministry publication "Technical Bulletin: management approaches for industrial fugitive dust sources", March 8, 2017, as amended.
18. "Truck(s)" means concrete ready-mix truck(s), aggregate truck(s) and cement powder tanker truck(s).

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

TERMS AND CONDITIONS

1. OPERATION AND MAINTENANCE

1. The Company shall ensure that the Equipment is properly operated and maintained at all times. The Company shall:
 - a. prepare, not later than three (3) months after the date of this Approval, and update, as necessary, a Manual outlining the operating procedures and a maintenance program for the Equipment, including:
 - i. routine operating and maintenance procedures in accordance with good engineering practices and as recommended by the Equipment suppliers;
 - ii. emergency procedures, including spill clean-up procedures;
 - iii. procedures for any record keeping activities relating to operation and maintenance of the Equipment;
 - iv. all appropriate measures to minimize noise and dust emissions from all potential sources; and
 - v. the frequency of inspection and replacement of the filter material in the Equipment.
 - b. implement the recommendations of the Manual.

2. FUGITIVE DUST CONTROL

- a. The Company shall develop in consultation with the District Manager, a Best Management Practices Plan for the control of fugitive dust emissions. This Best Management Practices Plan shall:
 - a. at minimum, be prepared in accordance with Ministry Technical Bulletin: Management Approaches for Industrial Fugitive Dust Sources; and
 - b. include 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.
- b. The Company shall submit the Best Management Practices Plan to the District Manager not later than three months after the date of this Approval or as otherwise indicated by the District Manager.
- c. Upon acceptance of the Best Management Practices Plan by the District Manager, the Company shall immediately 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.
- d. The Company shall update the Best Management Practices Plan as

necessary or at the direction of the District Manager.

3. RECORD RETENTION

- a. The Company shall retain, for a minimum of two (2) years from the date of their creation, all records and information related to or resulting from the recording activities required by this Approval, and make these records available for review by staff of the Ministry upon request. The Company shall retain:
 - a. all records on the maintenance, repair and inspection of the Equipment; and
 - b. all records of any environmental complaints, including:
 - i. a description, time and date of each incident to which the complaint relates;
 - ii. wind direction at the time of the incident to which the complaint relates; and
 - iii. a description of the measures taken to address the cause of the incident to which the complaint relates and to prevent a similar occurrence in the future.

4. NOTIFICATION OF COMPLAINTS

1. The Company shall notify the District Manager, in writing, of each environmental complaint within two (2) business days of the complaint. The notification shall include:
 - a. a description of the nature of the complaint; and
 - b. the time and date of the incident to which the complaint relates.

5. NOISE

1. The Company shall:
 - a. implement the Noise Control Measures as outlined in Schedule A of this Approval;
 - b. ensure that any and all Trucks arrive at and depart from the Facility in accordance with Schedule A of this Approval;
 - c. following the implementation of the Noise Control Measures, comply with the limits set out in Publication NPC-300;
 - d. 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, at all times, ensure that the vibration emissions from the

Facility comply with the limits set out in Ministry Publication NPC-207.

SCHEDULE A

NOISE CONTROL MEASURES

Completion upon issuance of this Approval.

Physical

1. Barrier #1: One(1) 24 metres long, 2.7 metres high acoustic barrier positioned as per Figure 3 of the Acoustic Assessment Report, continuous without any holes, gaps and other penetrations, and having a surface mass of at least 20 kilograms per square metre.
2. Barrier #2: One(1) 12 metres long, 2.7 metres high acoustic barrier positioned as per Figure 3 of the Acoustic Assessment Report, continuous without any holes, gaps and other penetrations, and having a surface mass of at least 20 kilograms per square metre.
3. Barrier #3: One(1) 49 metres long, 2.5 metres high acoustic barrier positioned as per Figure 3 of the Acoustic Assessment Report, continuous without any holes, gaps and other penetrations, and having a surface mass of at least 20 kilograms per square metre.

Administrative

Time Period	Administrative Controls
Daytime 07:00 to 23:00	Maximum Two(2) Tanker Delivery Truck Arrivals and Two(2) Tanker Delivery Truck Departures per sixty minute time period, and
Daytime 07:00 to 23:00	Maximum Twelve(12) Ready-Mix Truck Arrivals and Twelve(12) Ready-Mix Truck Departure per sixty minute time period and
Daytime 07:00 to 23:00	Maximum Four(4) Aggregate Truck Arrivals and Four(4) Aggregate Truck Departures per sixty minute time period, and
Night time 23:00 to 07:00	Facility and all trucking shutdown

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

1. Condition number 1 is included to emphasize that the Equipment must be

maintained and operated according to a procedure that will result in compliance with the EPA, the Regulations and this Approval.

2. Condition number 2 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.
3. Condition number 3 is included to require the Company to keep records and to provide information to staff of the Ministry so that compliance with the EPA, the Regulations and this Approval can be verified.
4. Condition number 4 is included to require the Company to notify staff of the Ministry so as to assist the Ministry with the review of the site's compliance.
5. Condition number 5 is included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the Facility.

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 2594-65XRSU issued on March 26, 2008.

In accordance with Section 139 of the *Environmental Protection Act*, you may by written notice served upon me, the Ontario Land 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 ("the Notice") 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:

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 *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 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 <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 January,
2022

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

JL/
c: District Manager, MECP Halton-Peel
Neil Chan, BCX Environmental Consulting