

ENVIRONMENTAL COMPLIANCE APPROVALNUMBER 4410-B9YJYL
Issue Date: January 12, 2022

Thomas Cavanagh Construction Limited
9094 Cavanagh Rd
Ashton, Ontario
K0A 1B0

Site Location: 2596 Carp Road
City of Ottawa, 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, having a maximum ready-mix concrete production rate of 2,000 cubic metres per day, consisting of the following equipment and emission sources:
 - one (1) cementitious material storage silo, equipped with four (4) baghouse dust collectors which controls emissions from one (1) cementitious material storage compartment, with a total storage capacity of 500 tonnes, complete with polyester filter material, having a filtering area of 39.0 square metres and a pulse jet cleaning system, discharging to the air at a maximum volumetric flow rate of 1.10 cubic metres per second through a vent, having an exit diameter of 0.25 metre, extending 1.22 metres above roof and 24.89 metres above grade;
 - one (1) dust collector, to control emissions from the loading point, complete with a telescopic chute, having a filtering area of 73.0 square metres and a pulse jet type cleaning system, discharging to the air at a maximum volumetric flow rate of 2.36 cubic metres per second through a vent, having an exit diameter of 0.48 metre, and extending 10.0 metres above grade;
 - one (1) natural gas-fired heater, providing heat for the material stored in the aggregate bins, having a maximum thermal input rating of 2.7 million kilojoules per hour, discharging to the air through a side vent at a maximum volumetric flow rate of 0.27 cubic metre per second, having an exit diameter of 0.13 metre, extending 2.44 metres above grade;
 - fugitive emissions resulting from the delivery, storage, and transfer of materials associated with ready-mix concrete batching operation;

all in accordance with the Application for Approval (Air) submitted by Thomas Cavanagh Construction Limited, dated September 18, 2018, and signed by Phil White; and the supporting information, including the Acoustic Assessment Report submitted by Golder Associates Ltd., prepared by Jeremy Schmitt and dated

October 2021; the Emission Summary and Dispersion Modelling Report, submitted by Golder Associates Ltd., and signed by Emily Lau as listed in Schedule A.

For the purpose of this environmental compliance approval, the following definitions apply:

1. "*Acoustic Assessment Report*" means the report, prepared in accordance with Publication NPC-233, by Jeremy Schmitt of Golder Associates Ltd., and dated October 2021 submitted in support of the application, that documents all sources of noise emissions and *Noise Control Measures* present at the *Facility*;
2. "*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 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* ;
3. "*Acoustic Audit Report*" means a report presenting the results of an *Acoustic Audit* , prepared in accordance with *Publication NPC-233* ;
4. "*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;
5. "*Approval*" means this Environmental Compliance Approval, including the application and supporting documentation listed above;
6. "*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* ;
7. "*Company*" means Thomas Cavanagh Construction limited, that is responsible for the construction or operation of the *Facility* and includes any successors and assigns;
8. "*District Manager*" means the District Manager of the appropriate local district office of the *Ministry*, where the *Facility* is geographically located;
9. "*EPA*" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;
10. "*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*;
11. "*Facility*" means the entire operation located on the property where the *Equipment* is located;
12. "*Independent Acoustical Consultant*" means an *Acoustical Consultant* who is not representing the *Company* and was not involved in preparing the *Acoustic Assessment Report* or the design/implementation of *Noise Control Measures* for the *Facility* and/or *Equipment* . The

Independent Acoustical Consultant shall not be retained by the *Acoustical Consultant* involved in the noise impact assessment or the design/implementation of *Noise Control Measures* for the *Facility* and/or *Equipment* ;

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 *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* identified in Appendix C of the *Acoustic Assessment Report* .
16. "*PLC* " means the Public Liaison Committee established for the dissemination, consultation, review and exchange of information relevant to the operation of the Facility, and consists of stakeholders to the extent approved by this Approval;
17. "*Professional Engineer*" means Professional Engineer as defined within the Professional Engineers Act, R.S.O. 1990, as amended.
18. "*Publication NPC-103*" means the Ministry Publication NPC-103 of the Model Municipal Noise Control By-Law, Final Report, August 1978, published by the Ministry as amended;
19. "*Publication NPC-233*" means Ministry Publication NPC-233 "Information to be Submitted for Approval of Stationary Sources of Sound" , October 1995.
20. "*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.
21. "*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;

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, before commencement of operation of the *Equipment* , 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 odorous 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

1. 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*.
2. The *Company* shall submit the *Best Management Practices Plan* to the *District Manager* not later than three (3) months after the date of this *Approval* or as otherwise indicated by the *District Manager*.
3. 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*.
4. The *Best Management Practices Plan* shall be updated as necessary or at the direction of the

District Manager .

3. 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 of truck traffic and material loading as per Condition No. 4; and
 - c. all records of any environmental complaints as per Condition No. 8.

4. PERFORMANCE LIMITS

1. The *Company* shall restrict its operation to the following conditions:
 - a. Cement and cement supplement receiving:
 - i. 3 trips per hour between 7:00 am and 7:00 pm in the months between April and November;
 - ii. 2 trips per hour between 7:00 am and 7:00 pm in the months between December and March;
 - iii. no trips during any other time;
 - b. Weigh hopper loading and ready-mix truck loading:
 - i. 15 trips per hour between 7:00 am and 7:00 pm in the months between April and November;
 - ii. 10 trips per hour between 7:00 pm and 11:00 pm in the months between April and November;
 - iii. 5 trips per hour between 11:00 pm and 7:00 am in the months between April and November;
 - iv. 15 trips per hour between 7:00 am and 7:00 pm in the months between December and March;
 - v. 6 trips per hour between 7:00 pm and 11:00 pm in the months between December and

March;

- vi. 3 trips per hour between 11:00 pm and 7:00 am in the months between December and March;

c. Sand and aggregate loading into bins:

- i. full operation (based on 120 cubic meters of concrete produced per hour) between 7:00 am and 7:00 pm;
- ii. 10% of full operation between 7:00 pm and 7:00 am;

d. Sand and aggregate truck loading:

- i. 8 trips per hour between 7:00 am and 7:00 pm in the months between April and November;
- ii. 2 trip per hour between 7:00 pm and 11:00 pm in the months between April and November;
- iii. 6 trips per hour between 7:00 am and 7:00 pm in the months between December and March;
- iv. no trips during any other time;

5. NOISE

1. The *Company* shall have in place and enforce a policy prohibiting the unnecessary idling of trucks at the *Facility* .
2. The *Company* shall have in place and enforce a policy prohibiting the slamming of truck/trailer tailgates.
3. The *Company* shall:
 - a. restrict the ready-mix truck loading to a maximum of fifteen (15) ready-mix trucks per sixty (60) minute period during the daytime hours of 7:00 am to 7:00 pm;
 - b. restrict the ready-mix truck loading to a maximum of ten (10) ready-mix trucks per sixty (60) minute period during the evening hours of 7:00 pm to 11:00 pm;
 - c. restrict the ready-mix truck loading to a maximum of five (5) ready-mix trucks per sixty (60) minute period during the nighttime hours of 11:00 pm to 7:00 am;
 - d. restrict the noise emissions from high idling of ready-mix trucks to 30 minutes per hour while

- loading for any time of the day;
- e. restrict the noise emissions from high idling of ready-mix trucks to 30 minutes per hour while rinsing during the daytime and evening periods; and
 - f. restrict the noise emissions from high idling of ready-mix trucks to 24 minutes per hour while rinsing during the nighttime period.
4. The *Company* shall:
- a. restrict the delivery of raw material via sand and aggregate trucks to a maximum of eight (8) trucks per sixty (60) minute period during the daytime hours of 7:00 am to 7:00 pm;
 - b. restrict the delivery of raw material via sand and aggregate trucks to a maximum of two (2) trucks per sixty (60) minute period during the evening hours of 7:00 pm to 11:00 pm; and
 - c. prohibit the delivery of raw material via sand and aggregate trucks during the nighttime hours of 11:00 pm to 7:00 am.
5. The *Company* shall:
- a. restrict the transfer loading of raw material to the process equipment to a maximum of two (2) loaders each operating a maximum of fifty (50) minutes per sixty (60) minute period during the daytime hours of 7:00 am to 7:00 pm; and
 - b. restrict the transfer loading of raw material to the process equipment to a maximum of one (1) loader operating a maximum of thirty (30) minutes per sixty (60) minute period during the evening and nighttime hours of 7:00 pm to 7:00 am.
6. The *Company* shall:
- a. restrict the operation of cement tanker trucks to the daytime hours of 7:00 am to 7:00 pm;
 - b. restrict the operation of the cement blower to the daytime hours of 7:00 am to 7:00 pm; and
 - c. restrict the cement tanker trucks to a maximum of three (3) per sixty (60) minute period during the daytime hours of 7:00 am to 7:00 pm.
7. The *Company* shall:
- a. restrict the fan powered dust collector, identified as source DC1 in the *Acoustic Assessment Report* , operating in recycle system mode to a maximum of one (1) minute for every five (5) minutes to a total maximum of twelve (12) minutes per sixty (60) minute period; and
 - b. restrict the operation of the dust collectors, identified as sources DC2, DC3, DC4 and DC5 in

the *Acoustic Assessment Report* , to the daytime hours of 7:00 am to 7:00 pm.

8. The *Company* shall prohibit the reprocessing and crushing of excess material at the *Facility*.
9. The *Company* shall:
 - a. restrict operation of the water truck to a maximum of one (1) water truck per sixty (60) minute period during the daytime and evening hours of 7:00 am to 11:00 pm; and
 - b. prohibit the operation of the water truck during the nighttime hours of 11:00 pm to 7:00 am.
10. The *Company* shall ensure at all times that the noise emissions from the *Facility* comply with the limits set out in *Ministry Publication NPC-300* .
11. The *Company* shall:
 - a. ensure that the *Noise Control Measures* , or acoustically equivalent, as specified in the *Acoustic Assessment Report* are incorporated at the *Facility* upon commencement of commercial operations; and
 - b. ensure that the *Noise Control Measures* are properly maintained and continue to provide the acoustical performance outlined in the *Acoustic Assessment Report* .

6. ACOUSTIC AUDIT

1. The *Company* shall carry out *Acoustic Audit* measurements on the actual noise emissions due to the operation of the *Facility* .
2. 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* within six (6) months after the commencement of commercial operation of the *Facility* or another date approved in writing by the *District Manager*; and
 - c. shall notify the *District Manager*, within seven (7) days of commencement of commercial operation, that commercial operations have commenced.
3. 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* .

7. AIR QUALITY MONITORING PROGRAM

1. The *Company* shall, upon the request of the *District Manager* :
 - a. develop and submit to the *District Manager* , an air quality monitoring program in accordance with the requirements set out in the *Operations Manual for Air Quality Monitoring in Ontario PIBS 6687e*, dated March 2008, as amended that may include continuous ambient air quality monitoring for the measurement of:
 - i. suspended particulate matter;
 - b. after it is approved by the *District Manager* , implement the air quality monitoring program at the time agreed upon by the *District Manager* .
2. If the *District Manager* does not accept the ambient air quality monitoring program, the *District Manager* may require the *Company* to revise and re-submit the ambient air quality monitoring program.
3. All aspects of the ambient air quality program are subject to audit at any time by *Ministry* designated personnel.
4. Within sixty (60) days of the completion of any air quality monitoring program the *Company* shall submit to the *District Manager* a written report summarizing the results of the air quality monitoring program in accordance with the *Operations Manual for Air Quality Monitoring in Ontario PIBS 6687e*, as amended, prepared by a *Professional Engineer*.
5. The *Company* shall after the completion of any air quality monitoring program post the results of the air quality monitoring program on the *Company's* corporate website within three (3) months of receipt of the report.

8. COMPLAINTS RESPONSE PROCEDURE

1. A designated representative of the *Company* shall be available to receive complaints when the *Facility* is in operation.
2. If at any time, the *Company* receives any environmental complaints from the public regarding the operation of the *Facility* approved by this *Approval*, the *Company* shall respond to these complaints according to the following procedures:

- a. The *Company* shall record each complaint in a computerized tracking system. The information to be recorded shall include the following:
 - i. name, address and the telephone number of the complainant, if known;
 - ii. time and date of the complaint; and
 - iii. details of the complaint.
- b. After the complaint has been received by the *Company*, the *Company* shall immediately report, either to the *District Manager* by phone during office hours or to the Ministry's Spills Action Centre at 1-800-268-6060 off office hours, on the receipt of the complaint. The *Company* shall immediately initiate investigation of the complaint. The investigation shall include, as a minimum, the following:
 - i. determination of the activities undertaken in the *Facility* at the time of the complaint;
 - ii. meteorological conditions including, but not limited to the ambient temperature, approximate wind speed and its direction;
 - iii. determination if the complaint is attributed to activities in the Facility and if so, the possible cause(s) of the complaint;
 - iv. determination of the remedial action(s) to address the cause(s) of the complaint, and implementation of the remedial action(s) as soon as practicably possible.
- c. The *Company* shall document the response provided to the complainant, if known, and shall make the document(s) available for inspection by staff of the *Ministry* upon request. 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(s) would be provided.
- d. The *Company* shall, within ten (10) business days, submit a report to the *District Manager* on that complaint, and all proposed action(s) to prevent recurrence of the complaint in the future.

SCHEDULE A

Supporting Documentation submitted by Golder Associates Ltd.

1. Environmental Compliance Approval Application, dated September 18, 2018

2. E-mail, dated March 19, 2019;
3. Revised Emission Summary and Dispersion Modelling Report, dated June 2019;
4. E-mail, dated July 23, 2019;
5. E-mail, dated February 5, 2020;
6. Revised Emission Summary and Dispersion Modelling Report, dated March 2020;
7. Revised Emission Summary and Dispersion Modelling Report, dated February 2021;
8. E-mail, dated May 4, 2021
9. E-mail dated January 7, 2022.
10. Revised Acoustic Assessment Report dated October 2021.

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

1. Conditions No. 1 and 2 are included to emphasize that the *Equipment* must be maintained and operated according to a procedure that will result in compliance with the *EPA*, the Regulations and this *Approval*.
2. Condition No. 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.
3. Conditions No. 4 and 5 are included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the *Facility*.
4. Condition No. 6 is included to require the *Company* to gather accurate information and submit an *Acoustic Audit Report* in accordance with procedures set in the Ministry's noise guidelines, so that the environmental impact and subsequent compliance with the *EPA*, the Regulation and this *Approval* can be verified.
5. Condition No 7 is included to prevent an adverse effect resulting from the operation of the Facility.
6. Condition No. 8 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.

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, S.O. 1993, c. 28 (Environmental Bill of Rights), the Environmental Commissioner, within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Environmental Commissioner will place notice of your appeal on the Environmental Registry. Section 142 of the Environmental Protection Act provides that the Notice requiring the hearing shall state:

- a. The portions of the environmental compliance approval or each term or condition in the environmental compliance approval in respect of which the hearing is required, and;
- b. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The Notice should also include:

1. The name of the appellant;
2. The address of the appellant;
3. The environmental compliance approval number;
4. The date of the environmental compliance approval;
5. The name of the Director, and;
6. The municipality or municipalities within which the project is to be engaged in.

And the Notice should be signed and dated by the appellant.

This Notice must be served upon:

The Secretary*
Environmental Review Tribunal
655 Bay Street, Suite 1500
Toronto, Ontario
M5G 1E5

AND

The Environmental Commissioner
1075 Bay Street, Suite 605
Toronto, Ontario
M5S 2B1

AND

The Director appointed for the purposes of
Part II.1 of the Environmental Protection Act
Ministry of the Environment,
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

*** Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349, Fax: (416) 326-5370 or www.ert.gov.on.ca**

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 www.ebr.gov.on.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 12th day of January, 2022



Neryed Ragbar, P.Eng.

Director

appointed for the purposes of Part II.1 of the

ML/

c: District Manager, MECP Ottawa
Emily Lau P.Eng., Golder Associates Ltd.