

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 3839-C8WMDA
Issue Date: February 10, 2022

Innocon Inc.
50 Newkirk Rd
Richmond Hill, Ontario
L4C 3G3

Site Location: 535 Commissioners Street
Toronto City,
M4M 1A5

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) primary central-mix concrete batching plant, having a maximum production rate of 1,000 cubic metres per day, including the following equipment exhausting to the air:
 - Five (5) baghouse dust collectors, to control emissions from the vertical silo(s) inside the central plant building, each complete with polyester filter area of 37.16 square meters and a reverse pulse-jet type cleaning system, and (1) dust collection system inside the central plant building to control emissions from the cement weigh scale, and central mixer, complete with polyester filter material, all discharging within the central plant building and exhausting through a vent at a maximum volumetric flow rate of 0.94 cubic metres, an equivalent diameter of 1.0 metre, and extending 24 metres above grade;
 - One (1) natural gas-fired hot water heater, having a maximum heat input capacity of 10,339,547 kilojoules per hour, discharging to the air through a stack, having an exit diameter of 0.6 metre, and extending 10.7 metres above grade;
 - One (1) natural gas-fired boiler, having a maximum heat input capacity of 2,215,617 kilojoules per hour, discharging to the air through a stack, having an exit diameter of 0.3 metre, and extending 11.3 metres above grade;
 - Fugitive emissions associated from the delivery, storage and transfer of materials associated with ready-mix concrete batching operations.
- One (1) secondary central-mix concrete batching plant, having a maximum production rate of 1,000

cubic metres per day, including the following equipment exhausting to the air:

- o One (1) baghouse dust collector, to control emissions from the intruss silo, silo No. 1, complete with polyester filter area of 33.25 square meters and a reverse pulse-jet type cleaning system, discharging to the air at a maximum volumetric flow rate of 0.66 cubic metres, through a vent having an equivalent diameter of 0.42 metre, and extending 6.5 metres above grade;
- o Four (4) baghouse dust collectors, to control emissions from vertical silo(s) No. 2, 3, 4 and 5, each complete with polyester filter area of 33.25 square meters and a reverse pulse-jet type cleaning system, discharging to the air at a maximum volumetric flow rate of 0.66 cubic metres, through a vent having an equivalent diameter of 0.42 metre, and extending 14.5 metres above grade;
- o One (1) baghouse dust collector, to control emissions from the cement weigh scale, and central mixer, complete with polyester filter material and a pulse-jet type cleaning system, discharging to the air at a maximum volumetric flow rate of 1.7 cubic metres, through a stack having an exit diameter of 0.3 metre, and extending 6.6 metres above grade;
- o One (1) natural gas-fired hot water heater, having a maximum heat input capacity of 5,380,785 kilojoules per hour, discharging to the air through a stack, having an exit diameter of 0.5 metre, and extending 6.0 metres above grade;
- o Fugitive emissions associated from the delivery, storage and transfer of materials associated with ready-mix concrete batching operations.

all in accordance with the Application for Approval (Air & Noise) submitted by Innocon Inc., dated November 18, 2020 and signed by Jayson Hill, Operations Manager; and the supporting information, including the Emission Summary and Dispersion Modelling Report submitted by BCX Environmental Consulting, dated December 16, 2020 and signed by Jaime Anderson, the Acoustic Assessment Report dated November 9, 2021, prepared by Swetha Kulandaivelan and Corey D. Kinart of HGC Engineering.

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 Swetha Kulandaivelan and Corey D. Kinart of HGC Engineering and dated November 9, 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 the document titled "Best Management Practices Plan for the Control of Fugitive Dust Emissions", dated July 2011 and prepared by Innocon Inc.;
4. "Company" means Innocon Inc. that is responsible for the construction or operation of the Facility and includes any successors and assigns in accordance with section 19 of the EPA;
5. "District Manager" means the District Manager of the appropriate local district office of the Ministry,

where the Facility is geographically located;

6. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19;
7. "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;
8. "Facility" means the entire operation located on the property where the Equipment is located;
9. "Manual" means a document or a set of documents that provide written instructions to staff of the Company;
10. "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;
11. "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 Ministry Publication NPC-300. It also means the Noise Abatement Action Plan from the Acoustic Assessment Report dated November 9, 2021, prepared by Swetha Kulandaivelan and Corey D. Kinart of HGC Engineering;
12. "Noise Control Measures" means measures to reduce the noise emissions from the Facility and/or Equipment including, but not limited to, silencers, acoustic louvres, enclosures, absorptive treatment, plenums and barriers, described in the Company's application, Schedule "A" of this Approval and in the supporting documentation referred to herein, including the Acoustic Assessment Report, to the extent approved by this Approval;
13. "Publication NPC-233" means the Ministry Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October, 1995 as amended; and
14. "Publication NPC-300" means the Ministry Publication NPC-300, "Environmental Noise Guideline, Stationary and Transportation Sources – Approval and Planning, Publication NPC-300", August, 2013, as amended.

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

TERMS AND CONDITIONS

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

3. DOCUMENTATION REQUIREMENTS

1. The Company shall record, in a log book, each time a specific preventative and control measure described in the Best Management Practices Plan is implemented. The Company shall record, as a minimum:
 - a. the date when each emission control is installed, including a description of the control measure;
 - b. the date when each preventative measure or operating procedure to minimize emissions is implemented, including a description of the preventative measure or operating procedure; and,
 - c. the date, time of commencement, and time of completion of each periodic activity conducted to minimize emissions, including a description of the preventative measure/procedure and the name of the individual performing the periodic activity.

4. 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 related to:
 - a. the maintenance, repair and inspection of the Equipment; and,
 - b. the minimization of fugitive dust and noise emissions from the Facility;
 - b. all records on the daily operation of the Facility, including:
 - a. daily production rate; and,
 - b. daily start-up and shut-down times of the Facility;
 - c. all records of any upset conditions associated with the operation of the Equipment;
 - d. the log book which contains all records on the preventative and control measures implemented for each source of fugitive dust emissions identified in the Best Management Practices Plan;
 - e. all records of any environmental complaints, including:
 - i. a description, time, date, and location of each incident;
 - ii. operating conditions at the time of the incident;
 - iii. wind direction at the time of the incident to which the complaint relates; and
 - iv. 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.

5. 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, date and location of the incident to which the complaint relates;
 - c. the wind direction at the time of the incident; and,
 - d. the name(s) of Company personnel responsible for handling the incident.

6. NOISE

1. The Company shall ensure, subsequent to the completion of the Noise Abatement Action Plan,

that the noise emissions from the Facility comply with the limits set out in Ministry Publication NPC-300.

7. NOISE ABATEMENT ACTION PLAN

1. The Company shall:
 - a. fully implement the Noise Abatement Action Plan specified in the Acoustic Assessment Report and described in Schedule “A” of this Approval,
 - b. ensure that the Noise Control Measures are properly maintained and continue to provide the acoustical performance outlined in the Acoustic Assessment Report.

SCHEDULE A

Noise Abatement Action Plan

The Noise Abatement Action Plan shall consist of the Noise Control Measures identified as Stage 1, Stage 2, and Stage 3. The Noise Abatement Action Plan shall be implemented according to the following schedule:

12 months after the date of issuance of the Approval – complete Stage 1 Noise Control Measures;
24 months after the date of issuance of the Approval – complete Stage 2 Noise Control Measures;
60 months after the date of issuance of the Approval – complete Stage 3 Noise Control Measures, representing completion of the Noise Abatement Action Plan.

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

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

**Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s).
1358-9SPTEW issued on June 26, 2015**

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 10th day of February, 2022



Bijal Shah, P.Eng.

Director

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

AB/

c: District Manager, MECP Toronto - District
Jaime Anderson, BCX Environmental Consulting