

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER A-500-1913729717

Version: 1.0

Issue Date: April 19, 2022

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

PESTELL PET PRODUCTS INC.

141 HAMILTON RD ROAD
NEW HAMBURG ONTARIO
N3A 2H1

For the following site:

322 HORNER Avenue (AVE) , Unit 2, ETOBICOKE, TORONTO, ONTARIO, CANADA, M8W 1Z3

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s) 6580-AD6R9W, issued on October 24, 2016.

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) process baghouse, to control emissions from aspirators on production lines 1, 2 and 3, complete with white cellulose filter material having a filtering area of 0.21 square metre and a pulse jet cleaning system, discharging into the atmosphere at a maximum volumetric flowrate of 8.9 actual cubic metres per second, through a vertical discharge stack, having an exit diameter of 1.0 metre, extending 6.8 metres above grade, identified as source DC-01;
- one (1) process baghouse, to control emissions generated from various extraction points on each production line, complete with white cellulose filter material having a filtering area of 0.21 square metre and a pulse jet cleaning system, discharging into the atmosphere at a maximum volumetric flowrate of 4.7 actual cubic metres per second, through a vertical discharge stack, having an exit diameter of 1.0 metre, extending 6.8 metres above grade, identified as source DC-02;

All in accordance with the Environmental Compliance Approval Application submitted by Pestell Pet Products Incorporated, dated July 29, 2021 and signed by Aaron Rock, Plant Manager and all supporting information associated with the application including the Emission Summary and Dispersion Modelling Report provided by Safetech Environmental Limited, dated July 14, 2021 and signed by Robert Fuller, additional information provided by Derrick Trim, Safetech Environmental Limited on November 29, 2021 and the Acoustic Assessment Report provided by Safetech Environmental Limited, dated January 27, 2022 and signed by Derrick Trim.

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 prepared by Safetech Environmental Ltd., dated January 27, 2022 and signed by Derrick Trim, P.Eng.;

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 metres;
3. "Approval" means this Environmental Compliance Approval, including the application and supporting documentation listed above;
4. "Baghouse Leak Detection System" means a system that is capable of continuously monitoring relative concentration of dust in the exhaust of a baghouse to detect bag leaks and other upset conditions, and is equipped with an alarm system. The alarm system shall be configured so that alarms are promptly detected by the Company operating personnel by way of visual and/or audible alerts when an increase in particulate matter emissions over a pre-set level is detected and alert the operating personnel of the upset condition and the need for implementing corrective action.
5. "Company" means Pestell Pet Products 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;
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. "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;
12. "Noise Control Measures" means measures to reduce the noise emission from the Facility 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;
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.

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. 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;
 - 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. The Company shall install, not later than three (3) months from the date of this Approval, a Baghouse Leak Detection System on all process baghouses in the Facility.
 3. The Company shall operate, calibrate and maintain each Baghouse Leak Detection System as installed on all process baghouses in the Facility in accordance with the manufacturer's specifications and recommendations.

2. 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; 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.

3. 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.

4. NOISE

1. The Company shall:
 - a. ensure that the existing 2.5 metre high earthen berm on the west and north of the site, as shown in Figure 2 of the Acoustic Assessment Report, is retained and maintained;
 - b. ensure that the existing 2.4 metre high Acoustic Barrier on the west and north sides of the dust collectors, as shown in the photograph on page 8 of the Acoustic Assessment Report, is retained and maintained;
 - c. at all times, ensure that the noise emissions from the Facility comply with the limits set out in Ministry Publication NPC-300; and,
 - d. ensure that the Noise Control Measures are properly maintained and continue to provide the acoustical performance outlined in the Acoustic Assessment Report.
2. The Company shall restrict the operation of shipping / receiving trucks to the hours from 7 a.m. to 11 p.m.
3. The Company shall restrict the operation of rail car deliveries / pick ups to the hours from 7 a.m. to 7 p.m.

REASONS

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

1. Condition No. 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 No. 2 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. Condition No. 3 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. 4.1 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. 4.2 is included to ensure that the operation of the shipping / receiving trucks is not extended beyond the stated hours to prevent an adverse effect resulting from the operation of the Equipment.
6. Condition No. 4.3 is included to ensure that the operation of the rail car deliveries / pick ups is not extended beyond the stated hours to prevent an adverse effect resulting from the operation of the Equipment.

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.

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:

- 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
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*** 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 19th day of April, 2022



Nancy Orpana

Director

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

c: Aaron Rock, PESTELL PET PRODUCTS INC.

Robert Fuller, Safetech Environmental