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

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 3609-CFDVUH

Issue Date: June 27, 2022

1168170 Ontario Ltd.
995 Great Northern Road
Sault Ste. Marie, Ontario
P6B 0B9

Site Location: 995 Great Northern Road
Sault Ste. Marie City, District of Algoma
P6B 0B9

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) atomizing type oil heater, model RA250, firing waste-derived fuel (WDF) at a maximum rate of 6.70 litres per hour, discharging to the atmosphere at a volumetric flow rate of 0.09 cubic metre per second, through a stack, designated as Source 1, having an exit diameter of 0.203 metre, extending 1.00 metre above roof and 8.20 metres above grade;
- one (1) WDF Day Tank, having a storage capacity of 1,100 litres, with the WDF heater supply lines located a minimum of 0.15 metre from the bottom of the tank; and
- three (3) WDF Bulk/Supply Tanks, having a storage capacity of 1,100 litres, 2,200 litres, and 4,500 litres;

all in accordance with the Environmental Compliance Approval Application submitted by 1168170 Ontario Ltd., dated November 12, 2021 and signed by Robert Lecours, Manager and all supporting information associated with the application including the Emission Summary and Dispersion Modelling Report provided by PRIME Environmental Services Inc., dated November 14, 2021 and signed by Greg Thomas, and additional information provided by Greg Thomas in two (2) emails dated June 13, 2022 and June 14, 2022.

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

1. "Approval" means this Environmental Compliance Approval, including the

application and supporting documentation listed above;

2. "ASTM" means American Society for Testing and Materials;
3. "Batch" means a quantity of WDF contained in the WDF Bulk/Supply Tank at the time the WDF Bulk/Supply Tank is sampled and a Seal is applied to the WDF Bulk/Supply Tank;
4. "Company" means 1168170 Ontario Ltd. 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 one (1) atomizing type oil heater firing WDF, one (1) WDF Day Tank, and three (3) WDF Bulk/Supply Tanks as 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. "Owner" means any person that is responsible for the establishment or operation of the Site being approved by this Approval, and includes the Company, its successors and assigns;
12. "Operator" means any person, other than the Owner's employees, authorized by the Owner as having the charge, management or control of any aspect of the Site;
13. "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;
14. "Regulation 347" means Ontario Regulation 347 R.R.O. 1990, as amended;
15. "Representative Sample" means a sample that represents the composition of the contents of the WDF Bulk/Supply Tank;
16. "Seal" means a physical device, having a unique identifier, applied to the WDF Bulk/Supply Tank and/or associated valves, which once applied must be removed in order to allow for the addition of material to the WDF Bulk/Supply Tank, and furthermore must be broken to be removed;

17. "Site" means the Facility located at 995 Great Northern Road, Sault Ste. Marie, Ontario;
18. "WDF" means waste-derived fuel as defined in Regulation 347;
19. "WDF Bulk Tank" means the WDF Bulk Tank and associated valves, when operated as a bulk reservoir for WDF generated on-site only;
20. "WDF Bulk/Supply Tank" means the three (3) WDF Bulk/Supply Tanks and associated valves, that is used either as bulk reservoirs for WDF generated on-site only, or as a WDF Supply Tank when either tank is operated as the sole supply of WDF to the WDF Day Tank;
21. "WDF Day Tank" means the WDF Day Tank that is operated as the sole supply of WDF to the Equipment; and
22. "WDF Supply Tank" means the WDF Bulk/Supply Tank containing WDF only, that has been demonstrated to meet the criteria of WDF as required by Regulation 347, and is operated as the sole supply of WDF to the WDF Day Tank.

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 not burn the contents of the WDF Bulk/Supply Tank that has not been sampled, analysed and demonstrated to meet WDF criteria as defined in Regulation 347, in accordance with Conditions 2.2 to 2.5 of this Approval.
2. The Owner and Operator shall ensure compliance with all the conditions of this Approval and shall ensure that any person authorized to carry out work on or operate any aspect of the Equipment is notified of this Approval and the conditions herein and shall take all reasonable measures to ensure any such person complies with the same.
3. Any person authorized to carry out work on or operate any aspect of the Equipment shall comply with the conditions of this Approval.
4. 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 procedure, including spill clean-up procedures;
 - iii. procedures for any record keeping activities relating to operation and maintenance of the Equipment;
 - iv. procedures for all Terms and Conditions included as part of this Approval; and
 - v. all appropriate measures to minimize noise and odorous emissions from all potential sources;
- b. implement the provisions of the Manual and create a record of all maintenance activities;
 - c. provide training on the proper maintenance and use of the Equipment, for all staff involved in the operation of the Equipment; and
 - d. provide a copy of the Manual to all staff involved in the operation of the Equipment.

2. WDF STORAGE, SAMPLING AND ANALYSIS

1. The Company shall direct WDF generated continuously or periodically as a result of regular on-site operations to the WDF Bulk/Supply Tank or the WDF Bulk Tank only. The tank receiving WDF at any time shall be labelled as "WDF Bulk Tank".
2. The Company shall analyse a Representative Sample of the Batch of WDF stored in the WDF Bulk Tank that represents the composition of the contents of the WDF Bulk/Supply Tank. The sample shall be taken in accordance with Regulation 347; "Industrial Waste Sampling Procedures Manual, 1989, PIBS Number 339" prepared by the Waste Management Branch of the Ministry; and the "Guide to the Collection and submission of Samples for Laboratory Analysis, 1989" prepared by the Laboratory Services Branch of the Ministry. The sample shall be one (1) vertical profile sample or one (1) composite sample of a mix of equal volume of grab samples taken from a minimum of three different vertical locations (bottom, middle and top).
3. The Company shall apply a Seal to the WDF Bulk/Supply Tank immediately after a sample of the Batch of WDF has been taken for analysis. The unique identifier of each Seal applied to the WDF Bulk/Supply Tank must correspond to the analysis of the Batch of WDF from which the Representative Sample was taken.

4. The Company shall submit the Representative Sample for analysis to an accredited laboratory. All analysis procedures shall be based on ASTM methods that have a minimum detection limit of 50 percent or less of the specified value (excluding flash point). The analysis shall be conducted to determine whether the Representative Sample meets the requirements of WDF as required by Regulation 347.
5. The Company shall demonstrate that the Representative Sample meets the requirements of WDF as required by Regulation 347, prior to directing WDF to the Equipment via the WDF Day Tank. The WDF Bulk/Supply Tank equipped with a Seal, containing the Batch of WDF which has been demonstrated to meet the criteria of WDF as required by Regulation 347 shall be operated and labelled as "WDF Supply Tank".
6. The Company shall direct additional volume of WDF to the WDF Bulk Tank only. Breaking of a Seal applied to the WDF Supply Tank, constitutes a new Batch of WDF. The Company shall repeat Conditions 2.1 through 2.5 upon breaking a Seal.
7. The Company may transfer tested and approved WDF from the WDF Supply Tank to the WDF Day Tank for use in the Equipment.
8. The Company shall operate the Equipment with the designated WDF Supply Tank or WDF Day Tanks as the only sources of WDF to the Equipment.
9. The Company shall locate the WDF Bulk/Supply Tank and the WDF Bulk Tank in the designated storage areas, as described in the application for Approval and the supporting documentation.
10. The Company shall ensure that all WDF shall be stored in accordance with Ministry publication "Guidelines for Environmental Protection Measures at Chemical and Waste Storage Facilities", dated May 2007. WDF shall be segregated from other incompatible wastes and materials.

3. WASTE DISPOSAL

1. The Company shall dispose of all waste material collected for use as WDF which does not meet WDF criteria in Regulation 347 by a Ministry approved waste hauler.

4. MONITORING AND RECORD KEEPING

1. The Company shall record in writing the volumes of any waste materials collected for use as WDF, disposed of by a Ministry approved waste hauler, as well as the corresponding laboratory analysis and Seal applied to the WDF Bulk/Supply Tank for the Batch of waste materials which did not meet WDF criteria as required by Regulation 347.

2. The Company shall monitor and record in writing the following information related to the samples of WDF taken from the WDF Bulk/Supply Tank pursuant to the sampling and analysis requirements set out in Conditions 2.2 to 2.5 of this Approval:
 - a. Volume of the WDF Bulk/Supply Tank;
 - b. Date when Representative Sample was taken and date submitted for laboratory analysis;
 - c. Date and unique identifier of the Seal applied to the WDF Bulk/Supply Tank, and the laboratory analysis for the corresponding Batch of WDF;
 - d. Comparison of the analytical results of the Representative Sample to the requirements of WDF as required by Regulation 347; and
 - e. A log indicating the quantity of WDF burned between each date of sampling and/or maintenance, repair or inspection of the Equipment.
3. The Company shall monitor and record in writing the quantity of WDF burned by the Equipment by:
 - a. Connecting an elapsed-time meter on the Equipment circuit that will indicate the total time that the Equipment is in operation and by multiplying the elapsed time by the design average fuel consumption rate for the Equipment; or
 - b. Connecting a volumetric flow meter on the Equipment circuit that will indicate the volume of WDF burned in the Equipment; or
 - c. By using an alternate procedure that the Company proposes and the District Manager authorizes in writing.
4. The Company shall record in writing the following information related to the operation of the Equipment:
 - a. details on the maintenance, repair and inspection of the Equipment;
 - b. details on any environmental complaints; including:
 - i. a description, time and date of each incident;
 - ii. wind direction at the time of the incident; and
 - iii. a description of the measures taken to address the cause of the incident and to prevent a similar occurrence in the future.

5. 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.

6. 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.

7. NOISE

1. The Company shall, at all times, ensure that the noise emissions from the Facility comply with the limits set out in Ministry Publication NPC-300.
2. The Company shall restrict the operation of the Facility to the daytime hours from 7 a.m. to 7 p.m.

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

1. Conditions No. 1.1 and 2 are included to require the Company to install and operate the Equipment, the WDF Bulk/Supply Tank and the WDF Bulk Tank to provide the minimum performance requirement considered necessary to prevent an adverse effect resulting from the operation of the Equipment.
2. Conditions No. 1.2 to 1.4 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.
3. Condition No. 3 is included to require the Company to dispose of waste materials

in a manner which does not result in a nuisance or a hazard to the health and safety of the environment or people.

4. Conditions No. 4 and 5 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.
5. Condition No. 6 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.
6. Condition No. 7 is included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the Facility.

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.

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 27th day of June, 2022



Nancy E Orpana, P.Eng.
Director
appointed for the purposes of Part
II.1 of the *Environmental Protection
Act*

EH/
c: Area Manager, MECP Sault Ste. Marie
c: District Manager, MECP Sudbury
Greg Thomas, PRIME Environmental Services Inc.