

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 9799-C2L525
Issue Date: June 29, 2021

Moncrief Construction Limited
504 Ninth St N
Kenora, Ontario
P9N 2S8

Site Location: Mobile Plant within Specific Geographic Areas in 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) portable crushing plant processing stone to produce aggregate materials for construction projects, at a maximum rate of 19,000 tonnes per day, consisting of the following sources discharging to the air:

- one (1) generator powering the portable Plant, equipped with a diesel fired engine rated 800 kilowatts and meeting US EPA Tier 2 emission standards, discharging to the air at a nominal volumetric flowrate of 2.5 cubic metres per second and an approximate temperature of 460 degrees Celsius, through a stack having an exit diameter of 0.25 metre, extending 4.1 metres above grade;
- one (1) primary crusher operating at a maximum material throughput rate of 19,000 tonnes per day and equipped with water spray bars to control the emissions;
- one (1) secondary crusher operating at a maximum material throughput rate of 19,000 tonnes per day and equipped with water spray bars to control the emissions;
- one (1) screener operating at a maximum material throughput rate of 30,300 tonnes per day receiving and processing aggregate from both crushers, with the emissions controlled by the water spray bars serving each crusher;
- one (1) conveyor delivering aggregate materials from screener to one (1) stacker; and
- four (4) stockpiles each approximately 26 metres or less in diameter, storing the aggregate product;

all in accordance with the application for an Environmental Compliance Approval (Air and Noise) submitted by Moncrief Construction Limited, dated June 11, 2019 and signed by Alfred Moncrief,

Director, and the information submitted in support of the application including: the Acoustic Assessment Report dated June 11, 2019; and the air assessment report titled ESDM Report dated August 21, 2020 complete with the revisions dated April 19, 2021, May 19, 2021, and June 8, 2021, all prepared by Stantec Consulting Ltd. and signed by Mike Stachejczuk, P.Eng.

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 (AAR) prepared by Stantec Consulting Ltd., dated June 11, 2019 and signed by Mike Stachejczuk, 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 metre.
3. "Approval" means this Environmental Compliance Approval, including the application and all supporting documentation.
4. "Class 1 Area" means an area with an acoustical environment typical of a major population centre, where the background sound level is dominated by the activities of people, usually road traffic, often referred to as "urban hum".
5. "Class 2 Area" means an area with an acoustical environment that has qualities representative of both Class 1 and Class 3 areas:
 - a. sound levels characteristic of Class 1 during daytime (07:00 to 19:00 or to 23:00 hours);
 - b. low evening and night background sound level defined by natural environment and infrequent human activity starting as early as 19:00 hours (19:00 or 23:00 to 07:00 hours).
6. "Class 3 Area" means a rural area with an acoustical environment that is dominated by natural sounds having little or no road traffic, such as:
 - a. a small community;
 - b. agricultural area;
 - c. a rural recreational area such as a cottage or a resort area; or
 - d. a wilderness area.
7. "Company" means Moncrief Construction Limited that is responsible for the construction or

operation of the Plant and includes any successors and assigns.

8. "Director" means any Ministry employee appointed by the Minister pursuant to Section 5 of the EPA.
9. "District Manager" means the District Manager of the appropriate local district office of the Ministry, at the geographic location where the Plant is operated.
10. "EPA" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended.
11. "Equipment" means the equipment described in the Company's application, this Approval and in the supporting documentation referred to herein, to the extent approved by this Approval.
12. "ESDM Report" means the air assessment report titled Emission Summary and Dispersion Modelling Report that describes the Facility in accordance with section 26 of O. Reg. 419/05 and Ministry Guideline A-10.
13. "Manual" means a document or a set of documents that provides 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 Plant / Equipment including, but not limited to, silencers, acoustic louvers, enclosures, absorptive treatment, plenums and barriers, described in the Company's application, this Approval and in the supporting documentation referred to herein, to the extent approved by this Approval.
16. "O. Reg. 419/05" means Ontario Regulation 419/05: Air Pollution – Local Air Quality, made under the EPA.
17. "Plant" means the entire portable crushing/screening operations, incorporating the Equipment.
18. "Point of Reception" means a Point of Reception as defined in Publication NPC-300.
19. "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.
20. "Sensitive Receptor" means any location where routine or normal activities occurring at reasonably expected times would experience adverse effect(s) from discharges from the Plant to the atmosphere, including one or a combination of:
 - a. private residences or public facilities where people sleep (e.g.: single and multi-unit dwellings, nursing homes, hospitals, trailer parks, camping grounds, etc.);

- b. institutional facilities (e.g.: schools, churches, community centres, day care centres, recreational centres, etc.);
- c. outdoor public recreational areas (e.g.: trailer parks, play grounds, picnic areas, etc.); or
- d. other outdoor public areas where there are continuous human activities (e.g.: commercial plazas and office buildings).

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. General

1. Except as otherwise provided by this Approval, the Plant shall be designed, built, operated and maintained in accordance with the terms and conditions of this Approval.
2. Where the Specifications and Conditions in this Approval conflict with any submitted documents in support of this Approval, the Specifications and Conditions in this Approval shall prevail.
3. If there are conflicts within the materials in the submissions listed in this Approval, the materials involving the most stringent operating requirements shall prevail.

2. Specific Geographic Areas Applicable to This Approval

1. This Approval is valid only for operation of the portable Plant in the areas under the jurisdiction of the following local offices of the Ministry as shown in Figure 6.1 and Table 6.9 of Ministry Guideline A-11: “Air Dispersion Modelling Guideline for Ontario” and defined by the North_1 and North_2 Regional meteorological data sets published by the Ministry and used for air dispersion modelling purposes:
 - a. Kenora/Thunder Bay Districts;
 - b. Sault Ste. Marie/Sudbury Districts; and
 - c. North Bay/Timmins Districts.

3. Minimum Separation Distance(s) to Points of Reception

1. The Company shall maintain a minimum separation distance between the boundary of the Plant and the nearest Point of Reception as specified in “Schedule B – Noise Emissions”.

4. Minimum Separation Distance(s) to Sensitive Receptors

1. The Company shall maintain a minimum separation distance between the boundary of the Plant and Sensitive Receptors as specified in “Schedule C – Air Emissions”.

5. Time Restrictions

1. The Company shall ensure that the Plant is not operated more than sixty (60) calendar days per year at any one site.

6. Noise Emissions

1. The Company shall, at all times, ensure that the noise emissions from the Plant comply with the limits determined in accordance with Ministry Publication NPC-300.
2. The Company shall ensure that the Acoustic Barrier, when required, is implemented at all times during the operation of the Plant.
3. The Company shall ensure that the Acoustic Barrier, when required, is continuous, without holes, gaps or other penetrations, and having a surface density of at least 20 kilograms per square metre, and that it will be positioned in between the Plant and Points of Reception that require shielding, as specified in Schedule B of this Approval.
4. The Company shall ensure that the Acoustic Barrier, when required, is properly maintained and continues to provide the acoustical performance outlined in the Acoustic Assessment Report.

7. Performance, Operation and Maintenance

1. The Company shall prepare and implement, prior to installing the Plant at an intended location:
 - a. procedures to identify and keep records of each intended operating location to ensure it is within the specific geographic areas defined in Condition No.2;
 - b. procedures to identify and keep records of the actual separation distances and the applicable scenarios for minimum separation requirements in Conditions No. 3 and 4 (Schedules B and C) for each intended location in order to:
 - i. ensure that the actual separation distances to Points of Reception meet the minimum separation requirements specified in “Schedule B – Noise Emissions”; and
 - ii. ensure that the actual separation distances to Sensitive Receptors meet the minimum separation requirements specified in “Schedule C – Air Emissions”, based on land use and surface characteristics within three (3) kilometres of the Plant and elevation limits for Sensitive Receptors;

- c. procedures to ensure that Plant set up conforms to the Site Layout presented in Figure 1-2 of the ambient air ESDM Report dated August 21, 2020.
2. The Company shall prepare and implement, not later than three (3) months after the date of this Approval, procedures to monitor and keep records to ensure:
 - a. the Plant and the Equipment conform to specifications stated in the description section of this Approval;
 - b. replenishing rate for feed rock stockpiles at the host site do not exceed 19,000 tonnes per day, of fragmented stone;
 - c. shipping rates from the Plant are not higher than 8,640 tonnes per day, of crushed/screened aggregate materials;
 - d. the weight percentage of moisture in the materials during transfer and processing is not lower than 1.5% based on a 24-hour averaging period;
 - e. the weight percentage of crystalline silica, quartz (CAS No. 14808-60-7) in the materials processed at the Plant is not higher than 80%, based on a 24-hour averaging period.
3. The Company shall ensure that the Plant/Equipment is properly operated and maintained at all times. The Company shall prepare and implement, 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 Plant/Equipment, including:
 - a. routine operating and maintenance procedures in accordance with good engineering practices and as recommended by the Equipment suppliers;
 - b. all appropriate measures to minimize noise and fugitive dust emissions from all potential sources; and
 - c. the frequency of inspection and maintenance of water spray bar systems controlling fugitive particulate emissions from the Equipment.

8. Fugitive Dust Control

1. The Company shall provide effective dust suppression for the Equipment and any other sources of fugitive dust emissions from the Plant.

9. Marking of Portable Plant

1. The Company shall post a legible sign in a location which is accessible to the public, clearly identifying:

- a. the Company name;
- b. the number of this Approval;
- c. a brief description of the nature of the operation;
- d. a Company contact name and telephone number for the public to provide comments;
- e. hours of operation; and
- f. length of time the Company intends to operate the Plant at that location.

10. Keeping a Valid Approval

1. The Company shall ensure that a copy of this Approval, as well as any subsequent Amended Approvals or Notices that amend this Approval, are available for inspection by a Provincial Officer at each site where the Plant is operated.

11. 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 on the daily operation of the Plant/Equipment, including:
 - i. daily production rate;
 - ii. daily start-up and shut-down times of the Plant/Equipment;
 - c. all records of any upset conditions associated with the operation of the Plant/Equipment;
 - d. all records on the environmental complaints, including:
 - i. a description, time, date and location of each incident;
 - ii. operating conditions (e.g. upset conditions, etc.) at the time of the incident;
 - iii. wind direction and other weather conditions at the time of the incident;
 - iv. the name(s) of Company personnel responsible for handling the incident;

- v. the cause of the incident;
 - vi. the Company response to the incident; and
 - vii. a description of the measures taken to address the cause of the incident and to prevent a similar occurrence in the future, and the outcome of the measures taken;
- e. all records, for each operating site regarding:
- i. requirements specified in “Schedule B – Noise Emissions” relating to separation distances to Points of Reception;
 - ii. requirements specified in “Schedule C – Air Emissions” relating to separation distances to Sensitive Receptors;
- f. all records on 24-hour averaged values for:
- i. minimum weight percentage of moisture contents in the aggregate materials during transfer and processing; and
 - ii. maximum weight percentage of crystalline silica, quartz (CAS No. 14808-60-7) in the aggregate materials received at the Plant.

12. 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;
 - b. the time, date and location of the incident;
 - c. the wind direction and other weather conditions at the time of the incident; and
 - d. the name(s) of Company personnel responsible for handling the incident.

13. Change of Owner

1. The Company shall notify the Director and the District Manager, in writing, of any of the following changes within thirty (30) days of the change occurring:
 - a. change of owner or operating authority, or both;
 - b. change of address of owner or operating authority or address of new owner or operating

authority;

- c. change of partners where the Owner is or at any time becomes a partnership, and a copy of the most recent declaration filed under the Business Names Act, R.S.O. 1990, c. B.17, as amended, shall be included in the notification;
 - d. change of name of the corporation where the Owner is or at any time becomes a corporation, and a copy of the most current information filed under the Corporations Information Act, R.S.O. 1990, c. C.39, as amended, shall be included in the notification.
2. The Company shall notify any succeeding new owner, in writing, of the existence of this Approval, as well as any subsequent Amended Approvals or Notices that amend this Approval and, shall forward a copy of such a notice to the Director and the District Manager together with the notification required under Condition 13.1.

14. Relocation

1. The Company shall notify the District Manager by submitting a completed Form 1 in Schedule A, at least ten (10) business days in advance of locating the Plant at an intended operating site.

Schedule A – Notice of Relocation for Portable Pant (Form 1)

I. Owner and/or Operator

- a. Company name, Contact person and Telephone number:

II. Proposed Location

- a. Municipality:
- b. Lot number and Concession number:
- c. Is the location within the geographic area specified in condition No. 2 (Yes/No)?
- d. Identification of applicable operating scenarios defined in Schedules B and C of this Approval, including minimum required separation distances:

III. Operation

- a. Date of commencement and completion of operation: from to
- b. Hours of operation: from to
- c. Maximum production rate (tonnes/day):
- d. Types of aggregate materials received at the Plant and the weight percentage of crystalline silica, quartz (CAS No. 14808-60-7) in the materials.

IV. Please attach the following:

- a. A copy of this Approval.
- b. A plot plan or sketch of the proposed location showing the entire operating site and:
 - i. distance between the Equipment and the nearest off-property Points of Reception;
 - ii. distance between the Equipment and Sensitive Receptors, and land surface conditions within five (5) kilometres of the Plant.
- c. Copies of Safety Data Sheet(s) or other data showing the maximum weight percentage of crystalline silica, quartz (CAS No. 14808-60-7) in the materials received at the Plant.

Schedule B – Noise Emissions

Minimum Required Separation Distance(s) to Points of Reception

Location of Point of Reception	Time of Equipment Operation	Minimum Separation Distance
Class 1 and Class 2 Areas (Urban)	between 7:00 am and 7:00 pm	1,000 metres
Class 1 and Class 2 Areas (Urban)	between 7:00 pm and 7:00 am	1,500 metres
Class 3 Areas (Rural)	between 7:00 am and 7:00 pm	1,500 metres
Class 3 Areas (Rural)	between 7:00 pm and 7:00 am	2,200 metres
Class 1 and Class 2 Areas (Urban) with 13 metres-tall acoustic barrier located no further than forty metres from the Equipment	between 7:00 am and 7:00 pm	400 metres
Class 1 and Class 2 Areas (Urban) with 13 metres-tall acoustic barrier located no further than forty metres from the Equipment	between 7:00 pm and 7:00 am	700 metres
Class 3 Areas (Urban) with 13 metres-tall acoustic barrier located no further than forty metres from the Equipment	between 7:00 am and 7:00 pm	700 metres
Class 3 Areas (Urban) with 13 metres-tall acoustic barrier located no further than forty metres from the Equipment	between 7:00 pm and 7:00 am	1,500 metres

Schedule C – Air Emission

Minimum Required Separation Distance(s) to Sensitive Receptors

SURFACE CONDITIONS as defined in Guideline A-11, “Air Dispersion Modelling Guideline for Ontario,” within five (5) kilometres of the Plant	Minimum Required Separation Distance(s) Measured from any Equipment to Sensitive Receptors
CROPS Surface Conditions, if within Ministry's Sault Ste. Marie/Sudbury and North Bay/Timmins Districts (or North_2 Meteorological Region)	2,300 metres
CROPS Surface Conditions, if within Ministry's Kenora/Thunder Bay Districts (or North_1 Meteorological Region)	2,100 metres
SUBURBAN Surface Conditions	2,100 metres
URBAN or FOREST Surface Conditions	600 metres

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

1. Conditions No. 1 to 10, inclusive, are included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the Plant/Equipment and to emphasize that the Plant/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. 11 is included to require the Company to keep records and to provide information to the Ministry so that compliance with the EPA, the regulations and this Approval can be verified.
3. Conditions No. 12 to 14, inclusive, are included to require the Company to notify/report to the Ministry so that compliance with the EPA, the regulations and this Approval can be verified.

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, 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 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 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 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 <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 29th day of June, 2021



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

MV/

- c: Area Manager, MECP Kenora
- c: District Manager, MECP Thunder Bay - District
Mike Stachejczuk, Stantec Consulting Ltd.