

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 5626-CGJJT2

Issue Date: September 1, 2022

Broadway Metals Inc.
3002 Broadway St Elmira
Rural Route, No. 4
Woolwich, Ontario
N3B 2Z3

Site Location: Broadway Metals
3002 Broadway St Elmira
Woolwich Township, Regional Municipality of Waterloo
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:

A metal fabrication facility consisting of the following equipment and emission sources:

- two (2) laser plasma cutters designated as Mazak Optiplex 3015 Fiber laser cutter and Trumpf Trulaser 3030 Fiber laser cutter, each equipped with a filtration system to have a minimum control efficiency of 99.5%, each directly discharging into the workshop, and finally discharging into the air through two general exhaust fans EX1 and EX2;
- seven (7) welding stations, using a maximum total welding wire at 37.9 kilograms per day, equipped with fume extractors air filtration system, directly discharging into the welding area of the workshop, and finally discharging into the air through two general exhaust fans EX1 and EX2;
- one (1) natural gas fired generator rated at 279 kW, designated as Genset 1, discharging into the air at an actual volumetric flow rate at 0.63 cubic metre per second at a temperature of 520 degree Celsius, through a stack, having an exit diameter 0.125 metre and extending 7.64 metres above the grade;
- one (1) natural gas fired generator rated at 270 kW, used

as backup purpose only, discharging into the air at an actual volumetric flow rate at 0.63 cubic metre per second at a temperature of 520 degree Celsius, through a stack, having an exit diameter 0.102 metre and extending 8.2 metres above the grade;

- fugitive emissions resulting from the delivery and transfer of raw materials associated with the metal fabrication operations.

all in accordance with the application for an Environmental Compliance Approval (Air and Noise) submitted by Broadway Metals Inc., dated September 03, 2021, and signed by Enoch Martin, Owner; Emission Summary and Dispersion Modelling Report prepared by Enviro-Stewards Inc., dated September 08, 2021; the Acoustic Assessment Report prepared by Antje Hurlburt of Hurlburt Environmental Engineering, dated August 30, 2021; and all the information associated with the application.

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 Hurlburt Environmental Engineering and dated August 30, 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. "Company" means Broadway Metals 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;
4. "Director" means any person appointed in writing by the Minister of the Environment pursuant to section 5 of the EPA as a Director for the purposes of section 9 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 August 30, 2021, prepared by Antje Hurlburt of Hurlburt Environmental 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, 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 dust 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 only operate one (1) of the two (2) generator sets approved in this Approval at any given time.

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 ABATEMENT ACTION PLAN

1. The Company shall:
 - a. fully implement the Noise Abatement Action Plan specified in the Acoustic Assessment Report, not later than five (5) years after the date noted on 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.

5. 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.
2. The Company shall restrict operation of generator to a maximum of one (1) generator at a time.

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

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 7770-BSKPRS issued on November 17, 2020.

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 1st day of September,
2022

A handwritten signature in black ink that reads "Nancy Orpana". The signature is written in a cursive, flowing style.

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

JL/
c: District Manager, MECP Guelph
Andrew Lane-Smith, Adomait Environmental Solutions Inc.