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

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 6465-CBVL46

Issue Date: February 17, 2023

Gateway Pet Memorial Services Inc.
230 Hanlon Creek Blvd, No. 109
Guelph, Ontario
N1C 0A1

Site Location: 2929 Thompson Road, Lot 6, Concession 8,
West Lincoln Township, Regional Municipality of Niagara, 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) natural gas fired pet cremation unit (S02) BLP2000, to process up to 136 kilograms per hour of Non-Infectious Remains of Companion Pets, having a total maximum heat input of 5,275,000 kilojoules per hour, discharging into the air through a stack, having an exit diameter of 0.3 metre, extending 6.2 metres above the roof and 12.3 metres above grade;
- one (1) natural gas fired pet cremation unit (S03) BLP750M5, to process up to 68 kilograms per hour of Non-Infectious Remains of Companion Pets, having a total maximum heat input of 5,803,000 kilojoules per hour, discharging into the air through a stack, having an exit diameter of 0.3 metre, extending 6.2 metres above the roof and 12.3 metres above grade;

All in accordance with the Application for an Approval dated February 10, 2022, signed by Carlos Cantu, the ESDM report, the Acoustic Assessment Report and all supporting information.

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

1. "Approval" means this Environmental Compliance Approval, including the application and all supporting documentation;
2. "Acoustic Assessment Report" means the report prepared in accordance with Publication NPC-233 and Appendix A of the Basic Comprehensive User Guide, by RWDI Air Inc., dated February 9, 2023, and signed by Slavi Grozev, submitted in support of the application, that documents all sources of noise emissions and

noise control measures present at the Facility;

3. "Companion Pets" means animals that were kept by humans for company, amusement or psychological support;
4. "Company" means Gateway Pet Memorial Services 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. "Continuous Monitoring System" means the continuous monitoring system consisting of continuous monitors and recording devices;
6. "Dead Farm Animal" means a dead farm animal within the meaning of Ontario Regulation 106/09 (Disposal of Dead Farm Animals) made under the Nutrient Management Act, 2002, S.O. 2002, c. 4, as amended;
7. "Director" means any Ministry employee appointed by the Minister pursuant to Section 5 of the EPA;
8. "District Manager" means the District Manager of the appropriate local district office of the Ministry, where the Facility is geographically located;
9. "EPA" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;
10. "Equipment" means the two (2) pet cremation units, described in the Company's application, this Approval and in the supporting documentation referred to herein, to the extent approved by this Approval;
11. "ESDM report" means the Emission Summary and Dispersion Modelling Report which was prepared in accordance with section 26 of O. Reg. 419/05 and the Procedure Document by RWDI AIR Inc. and dated February 13, 2023, submitted in support of the application, and includes any changes to the report made up to the date of issuance of this Approval;
12. "Facility" means the entire operation located on the property where the Equipment is located;
13. "Infectious Substance" means, a disease listed in,
 - a. [Schedule VII](#) of the Health of Animals Regulations made under the Health of Animals Act (Canada) as amended, or
 - b. the Reportable Diseases Regulations made under the [Health of Animals Act \(Canada\)](#) as amended;
14. "Manager" means the Manager, Technology Standards Section, Technical Assessment and Standards Development Branch, or any other person who represents and carries out the duties of the Manager, Technology Standards Section, Technical Assessment and Standards Development Branch, as those

duties relate to the conditions of this Approval;

15. "Manual" means a document or a set of documents that provide written instructions to staff of the Company;
16. "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;
17. "New Pet Cremation Unit" means the natural gas fired pet cremation unit (S03) BLP750M5, processing up to 68 kilograms per hour of Non-Infectious Remains of Companion Pets, described in the Company's application, this Approval and in the supporting documentation referred to herein, to the extent approved by this Approval;
18. "Non-Infectious Remains of Companion Pets" means Remains of Companion Pets that are not contaminated with any Infectious Substance;
19. "O. Reg. 419" means the Ontario Regulation 419/05, Air Pollution – Local Air Quality, as amended;
20. "Performance Requirements" means the performance requirements and emission limits specified in the sections of this Approval titled "Operating Parameters", "Emission Concentration Limit", and "Noise";
21. "Point of Impingement" has the same meaning as in section 2 of O. Reg. 419;
22. "Pre-Test Plan" means a plan for the Source Testing including the information required in Section 1.1 of the Source Testing Code;
23. "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;
24. "Regulated Dead Animal" means a regulated dead animal within the meaning of Ontario Regulation 105/09 (Disposal of Deadstock) made under the Food Safety and Quality Act, 2001, S.O. 2001, CHAPTER 20, as amended;
25. "Remains of Companion Pets" means whole carcasses or parts from carcasses of animals that were kept by humans for company, amusement or psychological support, excluding any remains of Dead Farm Animals or Regulated Dead Animals;
26. "Schedules" means the following schedules attached to this Approval and forming part of this Approval namely:
 - Schedule A - Continuous Temperature Monitoring System.

- Schedule B - Continuous Oxygen Monitoring System.
- Schedule C - Continuous Carbon Monoxide Monitoring System.
- Schedule D - Test Contaminants.
- Schedule E - Source Testing Procedures.

27. "Source Testing" means site-specific sampling and testing to measure emissions resulting from operating the targeted sources under operating conditions that will derive an emission rate that, for the relevant averaging period of the contaminant, is at least as high as the maximum emission rate that the source of contaminant is reasonably capable of, within the approved operating range of the Targeted Sources which satisfies paragraph 1 of subsection 11(1) of O. Reg. 419/05;
28. "Source Testing Code" means the Ontario Source Testing Code, dated June 2010, prepared by the Ministry, as amended; and
29. "Test Contaminants" means the contaminants listed in Schedule "D".

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. OPERATING PARAMETERS

1. The Company shall ensure that the Equipment is designed and operated to comply, at all times, with the following performance requirements:
 - a. the temperature in the secondary combustion chamber, as recorded by the Continuous Temperature Monitor, shall be at least 1,000 degrees Celsius before the primary combustion chamber is loaded and thereafter throughout each cremation; and
 - b. the residence time of the combustion gases in the secondary combustion chamber shall be at a minimum one second at a temperature of at least 1,000 degrees Celsius.

2. EMISSION CONCENTRATION LIMIT

1. The Company shall ensure that the Equipment is designed and operated to comply, at all times, with the following performance requirements:

- a. the concentration of oxygen in the undiluted flue gas leaving the secondary chamber, as recorded by the Continuous Monitoring System, shall not be less than 6 percent by volume on a dry basis, calculated as a 10-minute average;
- b. the half-hour average concentration of carbon monoxide in the undiluted flue gases leaving the secondary combustion chamber, as recorded by the Continuous Monitoring System, shall not exceed 100 parts per million by volume, on a dry basis normalized to 11 percent oxygen at a reference temperature of 25 degrees Celsius and a reference pressure of 101.3 kilopascals; and
- c. the concentration of organic matter (Total Hydrocarbon Compounds) having a carbon content, expressed as equivalent methane, being an average of ten measurements taken at approximately one minute intervals, shall not be greater than 100 parts per million by volume, measured on an undiluted basis.

3. NOISE

1. The Company shall, at all times, ensure that the noise emissions from the Facility shall comply with the limits set out in Ministry Publication NPC-300.

4. OPERATION AND MAINTENANCE

1. The Company shall ensure that the Facility/Equipment is properly operated and maintained at all times. The Company shall:
 - a. prepare, before commencement of operation of the Equipment, and update, as necessary, an Operational and Maintenance Manual outlining the operating procedures and a maintenance program for the Equipment, including:
 - i. procedures to ensure that only Non-Infectious Remains of Companion Pets are processed in the Equipment;
 - ii. the routine and emergency operating and maintenance procedures in accordance with good engineering practice, including annual inspection procedures as recommended by the Equipment and Continuous Monitoring System suppliers;
 - iii. emergency procedures;
 - iv. procedures to control all discharges from the Equipment in the event of loss or failure of power source to the Equipment;
 - v. procedures for any record keeping activities relating to the operation and maintenance of the Equipment;

- vi. procedures for operator training which is to be provided by an individual experienced with the Equipment;
 - vii. procedures for optimizing the operation of the Equipment to minimize the emissions from the Equipment; and
 - viii. the procedures for recording and responding to complaints regarding the operation of the Equipment;
- b. implement the recommendations of the Operational and Maintenance Manual;
2. The Company shall operate the Equipment in accordance with the following procedures:
- a. The Company shall ensure that the primary combustion chamber is not loaded unless the associated Continuous Monitoring System is fully operational. The burner flame in the secondary chamber shall be established before the primary chamber is fired;
 - b. The temperature in the secondary chamber, as measured by the Continuous Monitoring System, shall be maintained at minimum of 1,000 degrees Celsius at all times when the primary chamber is loaded and incineration is in progress;
 - c. The burner in the primary chamber shall shut off automatically if the secondary chamber burner fails.
3. The Company shall ensure that only Non-Infectious Remains of Companion Pets are burned in the Equipment.

5. COMPLAINTS RESPONSE PROCEDURE

1. If at any time, the Company receives any environmental complaints from the public regarding the operation of the Facility, the Company shall respond to these complaints according to the following procedure:
- a. The Company shall record each environmental complaint and notify the District Manager, in writing within two (2) business days of the receipt of a complaint, including the following information:
 - i. nature of the complaint;
 - ii. weather conditions and wind direction at the time of the complaint;
 - iii. name and address of the complainant (if provided);
 - iv. time and date of the complaint and incident to which the complaint relates; and
 - v. 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.

- b. The Company shall forthwith take appropriate steps to determine all possible causes of the complaint and to eliminate the cause of the complaint. A written reply shall be provided to the complainant, if known and if requested by the complainant, within three (3) business days of receipt of the complaint by the Company.
- c. The Company shall notify the District Manager, in writing, of each environmental complaint and the measures taken to address the complaint within two (2) business days of the complaint. The notification shall include:
 - i. a description of the nature of the complaint;
 - ii. the time and date 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. SOURCE TESTING

1. The Company shall perform Source Testing in accordance with the procedures outlined in the attached Schedule "E", to determine the rate of emission of Total Suspended Particulate Matter and Total Organic Matter from the New Pet Cremation Unit.
2. In the event that the results of the Source Testing indicate that the concentration of particulate matter in the undiluted gas emitted from the New Pet Cremation Unit exceeds 20 milligrams per cubic metre on a dry basis, normalized to 11% oxygen, at a reference temperature of 25 degrees Celsius and a reference pressure of 101.3 kilopascals, the Company shall perform Source Testing not later than three (3) months after the first Source Testing, to determine the rate of emission of the Test Contaminants listed in Schedule "D".

7. CONTINUOUS MONITORING

1. The Company shall, prior to the commencement of operation of the Equipment, install and subsequently conduct and maintain a program to continuously monitor:
 - a. the temperature at the location in the secondary chamber of the Equipment where the minimum retention time of the combustion gases at a minimum temperature of 1000 degrees Celsius for at least one

second is achieved; and

- b. the concentration of carbon monoxide and the concentration of oxygen in the undiluted gases leaving the secondary chamber of the Equipment. The Continuous Monitoring System shall be equipped with continuous recording devices and shall comply with the requirements outlined in the attached Schedule "A", "B", and "C".

8. RECORD RETENTION

1. The Company shall maintain and retain for a minimum of two (2) years from the date of their creation, all records and information related to or resulting from the operation of the Equipment, and monitoring and recording activities required by this Approval. These records shall be made available to staff of the Ministry upon request in a timely manner. The Company shall retain:
 - a. daily records of each load processed by the Equipment;
 - b. all original records produced by the Source Testing and the recording devices associated with the Continuous Monitoring System;
 - c. records of all excursions from the applicable Performance Requirements as measured by the Continuous Monitoring System, duration of the excursions, reasons for the excursions and corrective measures taken to eliminate the excursions;
 - d. all records on maintenance, repair and inspection of the Equipment and the Continuous Monitoring System;
 - e. description of any upset conditions associated with the operation of the Equipment and remedial action taken;
 - f. all records on operator training, including:
 - i. date of training;
 - ii. name and signature of person who has been trained; and
 - iii. description of the training provided;
 - g. all records on the environmental complaints, including:
 - i. a description, time and date of the 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.

SCHEDULE "A"

Continuous Temperature Monitoring System

PARAMETER:

Temperature

LOCATION:

The sample point for the Continuous Temperature Monitor shall be located in:

1. the outlet of the primary chamber; and
2. the secondary chamber where the minimum retention time of the combustion gases at a minimum temperature of 1000 degrees Celsius for at least one second is achieved.

PERFORMANCE:

The Continuous Temperature Monitor shall meet the following minimum performance specifications for the following parameters:

PARAMETERS	SPECIFICATION
Type	shielded "K" type thermocouple, or equivalent
Accuracy	± 1.5 percent of the minimum gas temperature

DATA RECORDER:

The data recorder must be capable of registering continuously the measurement of the monitor without a significant loss of accuracy and with a time resolution of 1 minutes or better.

RELIABILITY:

The monitor shall be operated and maintained so that accurate data is obtained during a minimum of 95 percent of the time for each calendar quarter.

SCHEDULE "B"

Continuous Oxygen Monitoring System

PARAMETER:

Oxygen

INSTALLATION:

The Continuous Oxygen Monitor shall be installed at an accessible location where the measurements are representative of the actual concentration of oxygen in the undiluted gases leaving the secondary chamber of the Equipment and shall meet the following

installation specifications:

PARAMETERS	SPECIFICATION
Range (percentage)	0 to 25
Calibration Gas Ports	close to the sample point

PERFORMANCE:

The Continuous Oxygen Monitor shall meet the following minimum performance specifications for the following parameters.

PARAMETERS	SPECIFICATION
Span Value (percentage)	80 to 100% of full scale
Relative Accuracy	≤ 10 percent of the mean value of the reference method test data
Calibration Error	0.5 percent O ₂
System Bias	≤ 4 percent of the mean value of the reference method test data
Procedure for Zero and Span Calibration check	all system components checked
Zero Calibration Drift (24-hour)	≤ 0.5 percent O ₂
Span Calibration Drift (24-hour)	≤ 0.5 percent O ₂
Response Time (90 percent response to a step change)	≤ 180 seconds
Operational Test Period	≥ 168 hours without corrective maintenance

CALIBRATION:

Daily calibration drift checks on the monitor shall be performed and recorded in accordance with the requirements of Report EPS 1/PG/7.

DATA RECORDER:

The data recorder must be capable of registering continuously the measurement of the monitor with an accuracy of 0.5 percent of a full scale reading or better and with a time resolution of 2 minutes or better.

RELIABILITY:

The monitor shall be operated and maintained so that accurate data is obtained during a minimum of 90 percent of the time for each calendar quarter during the first full year of operation, and 95 percent, thereafter.

SCHEDULE "C"

Continuous Carbon Monoxide Monitoring System

PARAMETER:

Carbon Monoxide

INSTALLATION:

The Continuous Carbon Monoxide Monitor shall be installed at an accessible location where the measurements are representative of the actual concentration of carbon monoxide in the undiluted gases leaving the secondary chamber of the Equipment and shall meet the following installation specifications:

PARAMETERS	SPECIFICATION
Range (parts per million, ppm)	0 to > 100
Calibration Gas Ports	close to the sample point

PERFORMANCE:

The Continuous Carbon Monoxide Monitor shall meet the following minimum performance specifications for the following parameters:

PARAMETERS	SPECIFICATION
Span Value (nearest ppm equivalent)	80 to 100% of full scale
Relative Accuracy	≤ 10 percent of the mean value of the reference method test data or ± 5 ppm whichever is greater
Calibration Error	≤ 2 percent of actual concentration
System Bias	≤ 4 percent of the mean value of the reference method test data
Procedure for Zero and Span Calibration Check	all system components checked
Zero Calibration Drift (24-hour)	≤ 5 percent of span value
Span Calibration Drift (24-hour)	≤ 5 percent of span value
Response Time (90 percent response to a step change)	≤ 180 seconds
Operational Test Period	≥ 168 hours without corrective maintenance

CALIBRATION:

Daily calibration drift checks on the monitor shall be performed and recorded in accordance with the requirements of Report EPS 1/PG/7.

DATA RECORDER:

The data recorder must be capable of registering continuously the measurement of the monitor with an accuracy of 0.5 percent of a full scale reading or better and with a time resolution of 2 minutes or better.

RELIABILITY:

The monitor shall be operated and maintained so that accurate data is obtained during a minimum of 90 percent of the time for each calendar quarter during the first full year of operation, and 95 percent, thereafter.

SCHEDULE "D"

Test Contaminants

- Total Suspended Particulate Matter
- Total Hydrocarbons Compounds
- Benzo(a)pyrene
- Naphthalene
- Acrolein
- Hydrogen Chloride
-

List of Dioxins, Furans and Dioxin-like PCBs

- 2,3,7,8-Tetrachlorodibenzo-p-dioxin [2,3,7,8-TCDD]
- 1,2,3,7,8-Pentachlorodibenzo-p-dioxin [1,2,3,7,8-PeCDD]
- 1,2,3,4,7,8-Hexachlorodibenzo-p-dioxin [1,2,3,4,7,8-HxCDD]
- 1,2,3,6,7,8-Hexachlorodibenzo-p-dioxin [1,2,3,6,7,8-HxCDD]
- 1,2,3,7,8,9-Hexachlorodibenzo-p-dioxin [1,2,3,7,8,9-HxCDD]
- 1,2,3,4,6,7,8-Heptachlorodibenzo-p-dioxin [1,2,3,4,6,7,8-HpCDD]
- 1,2,3,4,6,7,8,9-Octachlorodibenzo-p-dioxin [1,2,3,4,6,7,8,9-OCDD]
- 2,3,7,8-Tetrachlorodibenzofuran [2,3,7,8-TCDF]
- 2,3,4,7,8-Pentachlorodibenzofuran [2,3,4,7,8-PeCDF]
- 1,2,3,7,8-Pentachlorodibenzofuran [1,2,3,7,8-PeCDF]
- 1,2,3,4,7,8-Hexachlorodibenzofuran [1,2,3,4,7,8-HxCDF]
- 1,2,3,6,7,8-Hexachlorodibenzofuran [1,2,3,6,7,8-HxCDF]
- 1,2,3,7,8,9-Hexachlorodibenzofuran [1,2,3,7,8,9-HxCDF]
- 2,3,4,6,7,8-Hexachlorodibenzofuran [2,3,4,6,7,8-HxCDF]
- 1,2,3,4,6,7,8-Heptachlorodibenzofuran [1,2,3,4,6,7,8-HpCDF]
- 1,2,3,4,7,8,9-Heptachlorodibenzofuran [1,2,3,4,7,8,9-HpCDF]
- 1,2,3,4,6,7,8,9-Octachlorodibenzofuran [1,2,3,4,6,7,8,9-OCDF]
- 3,3',4,4'-Tetrachlorobiphenyl [3,3',4,4'-tetraCB (PCB 77)]
- 3,4,4',5- Tetrachlorobiphenyl [3,4,4',5-tetraCB (PCB 81)]

- 3,3',4,4',5- Pentachlorobiphenyl (PCB 126) [3,3',4,4',5-pentaCB (PCB 126)]
- 3,3',4,4',5,5'- Hexachlorobiphenyl [3,3',4,4',5,5'-hexaCB (PCB 169)]
- 2,3,3',4,4'- Pentachlorobiphenyl [2,3,3',4,4'-pentaCB (PCB 105)]
- 2,3,4,4',5- Pentachlorobiphenyl [2,3,4,4',5-pentaCB (PCB 114)]
- 2,3',4,4',5- Pentachlorobiphenyl [2,3',4,4',5-pentaCB (PCB 118)]
- 2',3,4,4',5- Pentachlorobiphenyl [2',3,4,4',5-pentaCB (PCB 123)]
- 2,3,3',4,4',5- Hexachlorobiphenyl [2,3,3',4,4',5-hexaCB (PCB 156)]
- 2,3,3',4,4',5'- Hexachlorobiphenyl [2,3,3',4,4',5'-hexaCB (PCB 157)]
- 2,3',4,4',5,5'- Hexachlorobiphenyl [2,3',4,4',5,5'-hexaCB (PCB 167)]
- 2,3,3',4,4',5,5'- Heptachlorobiphenyl [2,3,3',4,4',5,5'-heptaCB (PCB 189)]

SCHEDULE "E"

Source Testing Procedures

1. The Company shall submit, not later than two (2) months after the date of this Approval to the Manager a Pre-Test Plan for the Source Testing required under this Approval.
2. Should a second Source Testing be required, the Company shall submit, not later than two (2) months after the completion of the first Source Testing, or a date agreed upon in consultation with the District Manager, to the Manager a Pre-Test Plan for the Source Testing required under this Approval.
3. The Company shall finalize the Pre-Test Plan in consultation with the Manager.
4. The Company shall complete the Source Testing, no later than two (2) months after the Manager has approved the Pre-Test Plan, or a date agreed upon in consultation with the District Manager.
5. The Company shall notify the Manager and the District Manager in writing of the location, date and time of any impending Source Testing required by this Approval, at least fifteen (15) days prior to the Source Testing.
6. The Company shall submit a report on the Source Testing to the Manager and the District Manager not later than three (3) months after completing the Source Testing. The report shall be in the format described in the Source Testing Code, and shall also include, but not be limited to:
 - a. an executive summary;
 - b. records of operating conditions, including all records produced by the continuous monitoring systems; and

- c. results of dispersion calculations in accordance with Regulation 419/05, indicating the maximum concentration of the Test Contaminants at the Point of Impingement.
 - d. a tabular comparison of calculated emission rates and emission factors based on Source Testing results for the Test Contaminants to relevant estimates described in the ESDM Report.
7. The Director may not accept the results of the Source Testing if:
- a. the Source Testing Code or the requirements of the Manager were not followed;
 - b. the Company did not notify the Manager, the District Manager and the Director of the Source Testing; or
 - c. the Company failed to provide a complete report on the Source Testing.
8. If the Director does not accept the results of the Source Testing, the Director may require re-testing. If re-testing is required, the Pre-Test Plan strategies need to be revised and submitted to the Manager for approval. The actions taken to minimize the possibility of the Source Testing results not being accepted by the Director must be noted in the revision.
9. The Company shall update their ESDM Report in accordance with Section 26 of O. Reg. 419/05 and the Procedure Document with the results from the Source Testing if any of the calculated emission factors or calculated emission rates are higher than the predicted rates in the ESDM report, not later than three (3) months after the submission of the Source Testing report and make these records available for review by staff of the Ministry upon request.

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

- 1. Conditions No. 1, 2, and 3 are included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the Facility/Equipment.
- 2. Conditions No. 4 and 5 are included to emphasize that the Equipment must be operated and maintained according to a procedure that will result in compliance with the EPA, the regulations and this Approval.
- 3. Conditions No. 6 and 7 are included to require the Company to gather accurate information so that the environmental impact and subsequent compliance with the EPA, the regulations and this Approval can be verified.
- 4. Condition No. 8 is included to require the Company to keep records and provide information to the Ministry so that the environmental impact and subsequent

compliance with the EPA, the regulations and this Approval can verified.

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 0868-BFUL9V issued on December 16, 2019.

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 17th day of February,
2023



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

QN/
c: District Manager, MECP Niagara
Melissa Annett, RWDI Air Inc.