

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 0120-CPR4SH

Issue Date: April 3, 2023

2500158 Ontario Inc.
100 Citigate Drive
Ottawa, Ontario
K2J 6K7

Site Location: Lot 19, Concession 1
Loyalist Township, County of Lennox and Addington

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) ready-mix concrete batching plant, having a maximum concrete production capacity of 100 cubic metres per hour, and consisting of the following emission sources:

- one (1) silo for the storage of cement and slag, served by two (2) pulse jet-type dust collectors, each discharging to the atmosphere at a volumetric flowrate of 0.28 cubic metres per second, through a stack having an exit diameter of 0.25 metre, extending 1.24 metres above roof and 26.7 metres above grade;
- one (1) pulse jet-type dust collector to control emissions from cement batching operations, discharging to the air at a maximum volumetric flow rate of 2.36 cubic metre per second, through a vent having exit dimensions of 0.367 metre by 0.484 metre, and extending 6 metres above grade;
- one (1) natural gas fired aggregate heater having a maximum heat input of 8.97 million kilojoules per hour; and
- fugitive emissions resulting from the receiving, storage, and transfer of cement and aggregate materials associated with ready-mix concrete batching operations;

all in accordance with the Environmental Compliance Approval Application submitted by 2500158 Ontario Inc., dated January 1, 2022 and signed by Craig Bellinger; and all supporting information including the Emission Summary and Dispersion Modelling Report submitted by Golder Associates Ltd., and dated August 18, 2022 and signed by Emily Lau; and the Acoustic Assessment Report prepared by Freefield Ltd., dated February 3, 2023 and signed by Hugh Williamson, P.Eng. and Michael Wells.

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 and Appendix A of the Basic Comprehensive User Guide, prepared by Freefield Ltd., dated February 3, 2023 and signed by Hugh Williamson, P.Eng. and Michael Wells, submitted in support of the application, that documents all sources of noise emissions and Noise Control Measures present at the Facility;
2. "Acoustic Assessment Summary Table" means a table prepared in accordance with the Basic Comprehensive User Guide summarising the results of the Acoustic Assessment Report;
3. "Acoustic Audit" means an investigative procedure consisting of measurements and/or acoustic modelling of all sources of noise emissions due to the operation of the Facility, assessed to determine compliance with the Performance Limits for the Facility regarding noise emissions, completed in accordance with the procedures set in Publication NPC-103 and reported in accordance with Publication NPC-233;
4. "Acoustic Audit Report" means a report presenting the results of an Acoustic Audit, prepared in accordance with Publication NPC-233;
5. "Acoustical Consultant" means a person currently active in the field of environmental acoustics and noise/vibration control, who is familiar with Ministry noise guidelines and procedures and has a combination of formal university education, training and experience necessary to assess noise emissions from a Facility;
6. "Approval" means this Environmental Compliance Approval, including the application and supporting documentation listed above;
7. "Basic Comprehensive User Guide" means the Ministry document titled "Basic Comprehensive Certificates of Approval (Air) User Guide" dated March 2011, as amended;
8. "Best Management Practices Plan" means a document or a set of documents which describe measures to minimize dust emissions from the Facility and/or Equipment;
9. "Company" means **2500158 Ontario 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;
10. "District Manager" means the District Manager of the appropriate local district office of the Ministry, where the Facility is geographically located;
11. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19;
12. "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;

13. "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 Emily Lau of Golder Associates Ltd., and dated August 18, 2022 submitted in support of the application, and includes any changes to the report made up to the date of issuance of this Approval;
14. "Facility" means the entire operation located on the property where the Equipment is located;
15. "Independent Acoustical Consultant" means an Acoustical Consultant who is not representing the Company and was not involved in preparing the Acoustic Assessment Report or the design/implementation of Noise Control Measures for the Facility and/or Equipment. The Independent Acoustical Consultant shall not be retained by the Acoustical Consultant involved in the noise impact assessment or the design/implementation of Noise Control Measures for the Facility and/or Equipment;
16. "Manual" means a document or a set of documents that provide written instructions to staff of the Company;
17. "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;
18. "Noise Control Measures" means measures to reduce the noise emissions from the Facility and/or Equipment including, but not limited to, silencers, acoustic louvers, enclosures, absorptive treatment, plenums and barriers. It also means the Noise Control Measures, as outlined in the Acoustic Assessment Report and detailed in Schedule A of this Approval;
19. "O. Reg. 419/05" means Ontario Regulation 419/05, Air Pollution – Local Air Quality, as amended;
20. "Procedure Document" means Ministry guidance document titled "Procedure for Preparing an Emission Summary and Dispersion Modelling Report" dated February 2017, as amended;
21. "Publication NPC-233" means the Ministry Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October, 1995, as amended;
22. "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;
23. "Schedules" means the following schedules attached to this Approval and forming part of this Approval:
 - Schedule A - Noise Control Measures;
24. "Technical Bulletin: Management Approaches for Industrial Fugitive Dust Sources" means the

Ministry publication "Technical Bulletin: management approaches for industrial fugitive dust sources", March 8, 2017, as amended;

25. "Truck(s)" means ready-mix truck(s), aggregate truck(s), cementitious material tanker truck(s), or shipping trucks.

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 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 operate the Facility at the reduced production capacity assessed in the ESDM report during the hours of 7 p.m. to 7 a.m.

2. FUGITIVE DUST CONTROL

1. The Company shall develop in consultation with the District Manager, a Best Management Practices Plan for the control of fugitive dust emissions. This Best Management Practices Plan shall:

- a. at minimum, be prepared in accordance with Ministry Technical Bulletin: Management Approaches for Industrial Fugitive Dust Sources; and
 - b. include a list of all Ministry comments received, if any, on the development of the Best Management Practices Plan, and a description of how each Ministry comment was addressed in the Best Management Practices Plan.
2. The Company shall submit the Best Management Practices Plan to the District Manager not later than three (3) months after the date of this Approval or as otherwise indicated by the District Manager.
 3. Upon acceptance of the Best Management Practices Plan by the District Manager, the Company shall immediately implement the Best Management Practices Plan for the control of fugitive dust emissions to provide effective dust suppression measures to any potential sources of fugitive dust emissions resulting from the operation of the Facility.
 4. The Company shall update the Best Management Practices Plan as necessary or at the direction of the District Manager.

3. 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.

4. 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.

5. NOISE

1. The Company shall:
 - a. implement the Noise Control Measures as outlined in Schedule A of this Approval;
 - b. ensure that any and all Trucks arrive at and depart from the Facility in accordance with Schedule A of this Approval;
 - c. comply with the limits set out in Publication NPC-300 following the implementation of the Noise Control Measures; and
 - d. ensure that all Noise Control Measures, are properly maintained and continue to provide the acoustical performance outlined in the Acoustic Assessment Report.

6. ACOUSTIC AUDIT

1. The Company shall:
 - a. carry out Acoustic Audit measurements of the noise emissions from the Facility, in accordance with the procedures in Ministry Publication NPC-103; and
 - b. submit an Acoustic Audit Report on the results of the Acoustic Audit, prepared by an Independent Acoustical Consultant, in accordance with the requirements of Ministry Publication NPC-233, to the District Manager and the Director, not later than twelve(12) months after the date of this Approval.
2. The Director:
 - a. may not accept the results of the Acoustic Audit if the requirements of Ministry Publication NPC-233 were not followed; and
 - b. may require the Company to repeat the Acoustic Audit if the results of the Acoustic Audit are found unacceptable to the Director.

SCHEDULE A

NOISE CONTROL MEASURES

Completion upon issuance of this Approval:

Physical

1. Existing Noise Barrier: One(1) 288 metres long, 3.0 metres high acoustic barrier positioned as per Figure 1 of the Acoustic Assessment Report, continuous without any holes, gaps and other penetrations, and having a surface mass of at least 20 kilograms per square metre.

Administrative

Time Period	Administrative Controls
Daytime 07:00 to 19:00	Maximum One(1) Cement Powder Tanker Delivery Truck Arrival and One(1) Cement Powder Tanker Delivery Truck Departure per sixty minute time period, and
Daytime 07:00 to 19:00	Maximum Fifteen(15) Ready-Mix Concrete Truck Arrivals and Fifteen(15) Ready-Mix Concrete Truck Departure per sixty minute time period and
Daytime 07:00 to 19:00	Maximum Four(4) Sand, Aggregate or Recycled Concrete Truck Arrivals and Four(4) Sand, Aggregate or Recycled Concrete Truck Departures per sixty minute time period, and
Evening and Night time 19:00 to 07:00	Maximum Six(6) Ready-Mix Concrete Truck Arrivals and Six(6) Ready-Mix Concrete Truck Departure per sixty minute time period and
Evening and Night time 19:00 to 07:00	Trucks delivering sand, aggregate or recycled concrete to stockpiles, and Cement Powder Tanker Trucks delivering powder cement or slag to silos, shall not operate

Completion 6 months after issuance of this Approval:

Physical

1. Noise Barrier #1: One(1) 90 metres long, 5.0 metres high acoustic barrier positioned as per Figure 8 of the Acoustic Assessment Report, continuous without any holes, gaps and other penetrations, and having a surface mass of at least 20 kilograms per square metre.

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

1. Condition numbers 1 and 2 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.
2. Condition number 3 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 number 4 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 number 5 is included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the Facility.
5. Condition number 6 is included to require the Company to gather accurate information and submit an Acoustic Audit Report in accordance with procedures set in the Ministry's noise guidelines, so that the environmental impact and subsequent compliance with this Approval can be verified.

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

The Minister of the Environment,
Conservation and Parks

The Director appointed for the purposes of
Part II.1 of the *Environmental Protection Act*
Ministry of the Environment,

Toronto, Ontario
M5G 1E5
OLT.Registrar@ontario.ca

and

777 Bay Street, 5th Floor
Toronto, Ontario
M7A 2J3

and

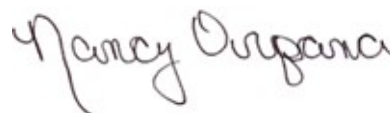
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

*** 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 3rd day of April, 2023



Nancy E Orpana, P.Eng.

Director

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

BR/

c: District Manager, MECP Kingston - District
Emily Lau, Golder Associates Ltd.