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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 6032-CGCN33

Issue Date: May 18, 2023

Artscrushing & Recycling Inc.
2517 Fanshawe Park Road East
London, Ontario
N5X 4A1

Site Location: Mobile, Operating in Southwestern and Central 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) mobile self-contained tertiary crusher unit consisting of a slow-speed impactor rotor, an integral screening unit, a discharge belt conveyor and an integral diesel engine rated at 310 kilowatts, operated at a maximum production capacity of 200 tonnes per hour of non-hazardous solid waste materials for recycling consisting of construction, demolition and other waste material principally concrete, asphalt pavement, bricks, stone and concrete block;

All in accordance with the Application for an Approval dated April 20, 2022, signed by Anthony Aarts of Artscrushing & Recycling Inc., the ESDM report, the Acoustic Assessment Report and all supporting information.

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. It also means the acoustic assessment report prepared by Soft dB, dated January 2021, and signed by Ryan J. Matheson and Todd Busch.
2. "Approval" means this Environmental Compliance Approval, including the application and supporting documentation listed above;
3. "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";
4. "Class 2 Area" means an area with an acoustical environment that has qualities

representative of both Class 1 Area and Class 3 Area:

- a. sound levels characteristic of Class 1 Area during daytime (07:00 to 19:00 or to 23:00 hours); and;
 - 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).
5. "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;
 6. "Company" means Artscrushing & Recycling Inc., that is responsible for the construction or operation of the Facility and includes any successors and assigns;
 7. "District Manager" means the District Manager of the appropriate local district office of the Ministry, where the Facility is geographically located;
 8. "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 Englobe Corp. and dated April 4, 2022, submitted in support of the application, and includes any changes to the report made up to the date of issuance of this Approval;
 9. "EPA" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;
 10. "Equipment" means the mobile crusher unit, described in the Company's application, this Approval and in the supporting documentation submitted with the application, to the extent approved by this Approval;
 11. "Facility" means the entire operation located on the property where the Equipment is located;
 12. "Manual" means a document or a set of documents that provide written instructions to staff of the Company;
 13. "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;
 14. "Noise Control Measures" means measures to reduce the noise emissions from the Equipment and/or Facility including but not limited to silencers and berms/barriers;

15. "Point of Reception" means a Point of Reception as defined in Publication NPC-300;
16. "Publication NPC-233" means Ministry Publication NPC-233 "Information to be Submitted for Approval of Stationary Sources of Sound" , October 1995;
17. "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; and
18. "Sensitive Receptor" means any location where routine or normal activities occurring at reasonably expected times would experience adverse effect(s) from discharges from the Equipment to the atmosphere, including one or more of a combination of:
 - a. private residences or public facilities where people sleep (for example: single and multi-unit dwellings, nursing homes, hospitals, trailer parks, and camping grounds);
 - b. institutional facilities (for example: schools, churches, community centres, day centre centres, and recreational centres);
 - c. outdoor public recreational areas (for example; trailer parks, play ground, and picnic areas); and
 - d. other outdoor public areas where there are continuous human activities (for example: 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. OPERATION AND MAINTENANCE

1. The Company shall ensure that the 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, 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;
 - iii. procedures for any record keeping activities relating to operation and maintenance of the Equipment;
 - iv. all appropriate measures to minimize noise and fugitive dust emissions from all potential sources;
 - v. procedures for any record keeping activities relating to operation and maintenance of the Equipment and identifying separation distances between the Equipment and Points of Reception and Sensitive Receptors;
 - vi. procedures for recording and responding to environmental complaints relating to the operation of the Equipment; and
- b. implement the recommendations of the Manual.
2. The Company shall, at all times, ensure that the noise emissions from the Equipment/Facility comply with the limits set out in Ministry Publication NPC-300.
 3. The Company shall ensure that the required Noise Control Measures as described in the Acoustic Assessment Report are implemented at all times during the operation of the Equipment.
 4. The Company shall ensure that the Equipment is not operated more than sixty (60) calendar days per year at any one site.
 5. The Company shall provide effective dust suppression to the Equipment and any other sources of fugitive dust emissions from the Facility.

2. MINIMUM SEPARATION DISTANCES

1. The Company shall ensure a minimum separation distances between the Equipment and the nearest Point of Reception as specified in Schedule "A".
2. The Company shall ensure a minimum separation distance of 100 metres between the centre of the Equipment and the nearest Sensitive Receptor.

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 on the daily operation of the Equipment, including:
 - i. daily production rate;
 - ii. daily start-up and shut-down times of the Equipment;
- c. all records of any upset conditions associated with the operation of the 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.

4. MARKING OF PORTABLE EQUIPMENT

- 1. The Company shall place a sign on the Equipment, 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 Equipment at that location.

5. KEEPING OF 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 Equipment is operated.

6. CHANGE OF OWNER

1. The Company shall notify the Director and the District Manager, in writing, of any of the following changes within one (1) month 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 if the owner or operating authority is or at any time becomes a partnership, with a copy of the most recent declaration filed under the Partnerships Registration Act included in the notification to the Director and the District Manager;
 - d. change of name of the corporation if the owner or operating authority is or at any time becomes a corporation, with a copy of the "Initial Notice" or the most recent "Notice of Change" (Form 1, 2 or 3 of O. Reg. 189, R.R.O. 1980, as amended from time to time), filed under the Corporations Information Act included in the notification to the Director and the District Manager.
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 No. 7.1.

7. RELOCATION

1. The Company shall notify the District Manager, in writing, at least five (5) business days in advance of any intended location of the Equipment at each operating site, by submitting a completed Schedule "B".

8. 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 and date of the incident to which the complaint relates;
 - 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.

SCHEDULE "A"

(Minimum Required Separation Distances from the Points of Reception; Unshielded)

Time of Day	Class 1	Class 2	Class 3
Daytime Operations (between 07:00 and 19:00)	622 metres	622 metres	1007 metres
Evening Operations (between 19:00 and 23:00)	622 metres	622 metres	1572 metres
Night Operations (between 23:00 and 07:00)	1007 metres	1007 metres	1572 metres

(Minimum Required Separation Distances from the *Points of Reception*; Acoustic Barrier height at 5 metres, minimum 40 metres in length, maximum 30 metres away from *Plant*)

Time of Day	Class 1	Class 2	Class 3
Daytime Operations (between 07:00 and 19:00)	372 metres	372 metres	637 metres
Evening Operations (between 19:00 and 23:00)	372 metres	372 metres	1032 metres
Night Operations (between 23:00 and 07:00)	637 metres	637 metres	1032 metres

(Minimum Required Separation Distances from the *Points of Reception*; Acoustic Barrier height at 7 metres, minimum 40 metres in length, maximum 30 metres away from *Plant*)

Time of Day	Class 1	Class 2	Class 3
Daytime Operations (between 07:00 and 19:00)	260 metres	260 metres	548 metres
Evening	260 metres	260 metres	997 metres

Operations (between 19:00 and 23:00)			
Night Operations (between 23:00 and 07:00)	548 metres	548 metres	997 metres

a.

SCHEDULE "B"

NOTICE OF RELOCATION FOR PORTABLE EQUIPMENT

1. Owner and/or Operator

- a. Company name :
- b. Contact person :
- c. Telephone number :

2. Proposed Location

- a. Municipality:
- b. Lot number:
- c. Concession number:

3. Operation

- a. Date of commencement and completion of operation: from to
- b. Hours of operation: from to
- c. Identification of the Equipment and the operating scenario as defined in Schedule "A" of this Approval.
- d. Maximum processing rate (tonnes/hour):
- e. Type of material to be processed:

Please attach the following:

- 1. A copy of the Approval.
- 2. A plot plan or sketch of the proposed location showing the following:
 - a. the entire operating site

- b. distance between the Equipment and the nearest off-property Point of Reception
- c. distance between the Equipment and the nearest Sensitive Receptor
- d. land use within 500 metres from the Equipment.

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

1. Conditions Nos. 1 and 2 are included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the Equipment and 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. 3 to 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.
3. Condition Nos. 6 to 8 are included to require the Company to notify/report to the Ministry so that compliance with the EPA, the regulation 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 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 18th day of May, 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 London - District
Kemmy Hunter, Englobe Corp.