

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 3657-CRFJLK

Issue Date: May 15, 2023

Foam Solutions Inc.  
259 Steelcase Road West  
Markham, Ontario  
L3R 2P6

**Site Location:** Foam Solutions Inc.  
259 Steelcase Road West  
Markham City, Regional Municipality of York  
L3R 2P6

*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 curing oven with a maximum heat input of 2,769,522 kilojoules per hour, exhausting into the atmosphere through a stack having an exit diameter of 0.61 metre, extending 5.2 metres above the roof and 12.2 metres above grade;
- two (2) compound mixing tanks exhausting into the atmosphere through a stack having an exit diameter of 0.36 metre, extending 0.20 metre above the roof and 7.2 metres above grade;
- one (1) natural gas fired process boiler with a maximum heat input of 4,410,134 kilojoules per hour, exhausting into the atmosphere through a stack having an exit diameter of 0.30 metre, extending 2.7 metres above the roof and 9.7 metres above grade;
- paste mixing operations, exhausting internally into the facility;
- maintenance welding;

all in accordance with the Environmental Compliance Approval application submitted by Foam Solutions Inc., dated April 22, 2022 and signed by Pat Thompson, President & General Manager; the supporting information, including the Emission Summary and Dispersion Modelling Report, submitted by Hemmera Envirochem Inc., dated April 22, 2022 and signed by Nicole Shantz, additional information provided by Nicole Shantz in emails dated April 29, 2023 and May 3, 2023 and the Secondary Noise Screening Method Form prepared by Hemmera Envirochem Inc., dated April 22, 2022, and signed by Nicole Shantz.

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

1. "Approval" means this Environmental Compliance Approval, including the application and supporting documentation listed above;
2. "Company" means Foam Solutions 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;
3. "District Manager" means the District Manager of the appropriate local district office of the Ministry, where the Facility is geographically located;
4. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19;
5. "Equipment" means the 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;
6. "Facility" means the entire operation located on the property where the Equipment is located;
7. "Manual" means a document or a set of documents that provide written instructions to staff of the Company;
8. "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;
9. "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; and
  - iv. all appropriate measures to minimize noise and odorous emissions from all potential sources;
- b. implement the recommendations of the Manual.

## **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**

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

2. The Company shall restrict the operation of the Facility to the daytime hours from 7 a.m. to 7 p.m.

*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. 4.1 is included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the Facility.
5. Condition No. 4.2 is included to ensure that operation of the Facility is not extended beyond the stated hours to prevent an adverse effect resulting from the operation of the Equipment.

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](http://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 15th day of May, 2023



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

KS/  
c: District Manager, MECP York-Durham  
Nicole Shantz, Hemmera Envirochem Inc.