

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER A-500-6181265871

Version: 1.0

Issue Date: May 31, 2023

Pursuant to section 20.3 of the Environmental Protection Act, Revised Statutes of Ontario (R.S.O.) 1990, c. E. 19 and subject to all other applicable Acts or regulations this Environmental Compliance Approval is issued to:

R. W. TOMLINSON LIMITED

100 CITIGATE DR
NEPEAN ONTARIO
K2J6K7

For the following site:

3500 Rideau Road , Ottawa, OTTAWA, ONTARIO, CANADA, K1G 3N4

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s) 5556-5ZCQPG, issued on January 20, 2006.

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) batch-type hot mixing asphalt plant, having a maximum production rate of 4,500 tonnes of hot mix asphalt per day and the maximum liquid asphalt annual throughput of 15,000 tonnes, consisting of the following equipment;

- one (1) dryer, equipped with;
 - a. natural gas fired burners, having a maximum heat input of 142.4 gigajoules per hour;
 - b. baghouse dust collection system to control emissions from the dryer and a hot mix asphalt production process, equipped with a reverse air cleaning system and differential pressure monitoring system, discharging into to the atmosphere at a nominal volumetric flow rate of 42.0 actual cubic metres per second and approximate temperature of 121 degrees Celsius through a stack, having an exit diameter of 1.5 metres, extending 12.7 meters above grade;
 - c. one (1) natural gas fired hot oil system to maintain the temperature of liquid asphalt storage tanks and hot mix asphalt storage silos, having a maximum heat input of 2,110,100 kilojoules per hour;
 - d. aggregate, sand and recycle asphalt pavement (RAP) screeners, each equipped with a dust sealing systems, to support daily hot mix asphalt production ;
 - e. conveyors and other associated equipment to support daily hot mix asphalt production;
 - f. three (3) insulated, bottom heated hot mix asphalt storage silos, operating at the maximum temperature of 165 degrees Celsius ;
 - g. two (2) horizontal insulated liquid asphalt storage tanks, each having a nominal volume of 114 cubic metres and operating at the maximum temperature of 165 degrees Celsius; each equipped with a vent, each having an exit diameter of 0.1 metre , each extending 3.4 metres above grade;
 - h. four (4) vertical insulated liquid asphalt storage tanks , each having a nominal volume of 114 cubic metres and

operating at the maximum temperature of 165 degrees Celsius, each equipped with a vent, having an exit diameter of 0.15 metre , each extending 13.3 metres above grade;

- maximum of 1,500 tonnes per day of combined aggregate, sand and RAP receiving rate to stock piles;
- one (1) baghouse dust storage silo (mineral silo), discharging back to the baghouse;
- baghouse dust transfer operations from the mineral silo to the trucks at the maximum daily rate of 56 tonnes, controlled by an adjustable loading soak and chute;
- one (1) vertical lime storage silo, equipped with a bin vent filter and operating at the maximum receiving rate of 40 tonnes per day

all in accordance with the Application for Approval (Air & Noise) submitted by R. W. Tomlison Limited dated July 7, 2022 and signed by Nicholas Mariani, Environmental Project Coordinator; the ESDM Report prepared by Emily Lau, B.A.Sc., P.Eng. (Golder Associates Ltd.) dated December 6, 2022; the letter (Operations Summary) from WSP Canada Inc. dated May 17, 2023 and signed by Jeff Zywicki and Emily Lau, the emails from Nick Mariani (R.W. Tomlinson Limited) dated May 5, 2023 and May 8, 2023; and all of the supporting information submitted with this application.

DEFINITIONS

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

1. "Acoustic Assessment Report" means the report by Freefield Ltd., dated 24 June 2022 and signed by Michael Wells and Hugh Williamson, prepared in accordance with Publication NPC-233 and submitted in support of the application for this Approval, documenting 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. "Best Management Practices Plan or BMPP" means the document entitled "Best Management Practices Plan for the Control of Fugitive Dust Emissions. Rideau Asphalt Plant" dated May 2023, as amended and forms the part of this Approval.
4. "Company" means R. W. TOMLINSON LIMITED operating as R. W. TOMLINSON LIMITED 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. "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 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. "ESDM Report" means the most current Emission Summary and Dispersion Modelling Report that describes the Facility. The ESDM Report is based on the Original ESDM Report and is updated after the issuance of this Approval in accordance with section 26 of O. Reg. 419/05 and the Procedure Document;
9. "Facility" means the entire operation located on the property where the Equipment is located;
10. "Fugitive dust" means any solid particulate matter that becomes airborne, other than that emitted from an exhaust stack, directly or indirectly as a result of the activities of any person.
11. "Method 22" means US EPA Method 22 - Visual Determination of Fugitive Emissions from Material Sources and Smoke Emissions from Flares
12. "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;

13. "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.
14. "Operations Summary" means the letter from WSP Canada Inc. dated May 17, 2023 and signed by Jeff Zywicki and Emily Lau, and forms the part of this Approval.
15. "Publication NPC-233" means the Ministry Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October, 1995, as amended.
16. "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.
17. "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;

TERMS AND CONDITIONS

You are hereby notified that this environmental compliance approval is issued to you subject to the terms and conditions outlined below:

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, 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, odorous and fugitive 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. 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;
 - b. production records;
 - c. 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.

5. VISIBLE FUGITIVE DUST EMISSIONS

1. The Company shall operate at or below the maximum daily production limits as presented in the ESDM Report and in accordance with the Operations Summary Tables
2. The facility operations shall be performed to ensure that visible fugitive dust plume from activities where material is dropped;
 - a. will not exceed more than 30 metres in any direction from the activities, excluding no more than 6 minutes in any hour; and
 - b. will not extend beyond the property lines at any time.
3. The company shall determine visible fugitive dust emissions, referred in Condition 5.2.a and 5.2.b as per Method 22, at the shortest practical observation distance as described in the Method 22.

6. FUGITIVE DUST CONTROL

1. The Company shall review and update in consultation with the District Manager, a BMPP for the control of fugitive dust emissions. This BMPP 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 BMPP, and a description of how each Ministry comment was addressed in the Best Management Practices Plan.
 - c. include a list of all necessary procedures and undertaken control measures to ensure compliance with Condition No. 5.2 of this Approval.
2. The Company shall submit the updated BMPP to the District Manager not later than 3 (three) months after the date of this Approval or as otherwise indicated by the District Manager.
3. Upon acceptance of the BMPP by the District Manager, the Company shall immediately implement the BMPP for the control of fugitive dust emissions from any potential sources of fugitive dust emissions resulting from the operation of the Facility.
4. The Company shall update the BMPP as necessary or at the direction of the District Manager.
5. The Company shall retain on-site the latest version of the BMPP and shall provide it to any employee or agent of the Ministry upon request.

REASONS

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. Conditions No. 4, No. 5 and No. 6 are included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the Facility.

APPEAL PROVISIONS

In accordance with Section 139 of the *Environmental Protection Act*, you may by written notice served upon me and the Ontario Land Tribunal, within 15 days after the service of this notice, require a hearing by the Tribunal. You must also provide notice to, the Minister of the Environment, Conservation and Parks in accordance with Section 47 of the *Environmental Bill of Rights, 1993* who 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:

- I. 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;
- II. 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:

- I. The name of the appellant;
- II. The address of the appellant;
- III. The environmental compliance approval number;
- IV. The date of the environmental compliance approval;
- V. The name of the Director, and;
- VI. 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 <i>Environmental Protection Act</i> Ministry of the Environment, Conservation and Parks 135 St. Clair Avenue West, 1st Floor Toronto, Ontario M4V 1P5
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*** 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 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 31st day of May, 2023



Nancy Orpana

Director

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

c: Hugh Williamson, Freefield Ltd.

Nicholas Mariani, R. W. TOMLINSON LIMITED

Emily Lau, WSP Canada Inc.