

AMENDMENT TO ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 2619-B6CSM9

Notice No. 3

Issue Date: August 29, 2023

Olybro Inc., as general partner for and on behalf of Olymel S.E.C./Olymel L.P.
2200 Pratte Ave
St-Hyacinthe, Quebec
J2S 4B6

Site Location: Orenda Road
318 Orenda Rd
Brampton City, Regional Municipality of Peel
L6T 1G1

You are hereby notified that I have amended Approval No. 2619-B6CSM9 issued on March 22, 2019 for a poultry processing facility , as follows:

The following definition is revoked:

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 *Facility*. "*Acoustic Assessment Report*" also means the *Acoustic Assessment Report* dated February 20, 2019 and signed by Samuel Pendyala and Kana Ganesh, WSP;

and replaced with the following:

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 WSP Canada Inc., dated September 2, 2022 and signed by Nghi Nguyen and Kana Ganesh, P.Eng, submitted in support of the application, that documents all sources of noise emissions and Noise Control Measures present at the Facility;

The following definition is revoked:

16. "*Noise Control Measures*" means measures to reduce the "*Noise Control Measures*" noise emissions from the and/or *Equipment* including, but not limited to, silencers, acoustic louvers,

enclosures, absorptive treatment, plenums and barriers. It also means the *Noise Control Measures* detailed in the *Acoustic Assessment Report* dated February 20, 2019 and signed by Samuel Pendyala and Kana Ganesh, WSP;

and replaced with the following:

16. "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.

The following condition is revoked:

5. NOISE

1. The Company shall:
 - a. operate the Facility/Equipment as outlined in the Acoustic Assessment Report dated February 20, 2019 and signed by Samuel Pendyala and Kana Ganesh, WSP;
 - b. implement the Noise Control Measures as outlined in the Acoustic Assessment Report dated February 20, 2019 and signed by Samuel Pendyala and Kana Ganesh, WSP, and detailed in Schedule "A";

and replaced with the following:

5. NOISE

1. The Company shall:
 - a. operate the Facility/Equipment as outlined in the Acoustic Assessment Report;
 - b. implement the Noise Control Measures as outlined in the Acoustic Assessment Report and in Schedule "A" of this Approval;

The following Schedule A, Noise Control Measures is revoked:

Stage 1

1. The *Company* shall construct a barrier on the top of the north perimeter berm to mitigate the Facility noise impacts towards receptors to the north. The barrier shall have a minimum height of 4.6 metres above the existing parking level and a minimum length of approximately 100 metres, and shall be located as depicted in Figure 8 from the *Acoustic Assessment Report* dated February 20, 2019 and signed by Samuel Pendyala and Kana Ganesh, WSP. The barrier shall be continuous without any holes, gaps or other penetrations, and have a surface mass of at least 20 kilograms per square metre.
The Company shall implement/construct Stage 1 Noise Control Measure not later than November 30, 2019.

Stage 2

1. The Company shall:
 - a. develop design for the expansion with relocated shipping bays, as per Figure 6 from the *Acoustic Assessment Report* dated February 20, 2019 and signed by Samuel Pendyala and Kana Ganesh,

WSP;

- b. obtain the plan approval from the City of Brampton, and
- c. get ready for expansion construction.

The Company shall implement Stage #2 Noise Control Measures not later than December 31, 2020.

Stage 3

1. The Company shall complete construction and commission of the new expansion building and the following five (5) barriers:

- a. **Receiving dock area barrier**

The *Company* shall construct a barrier north from the receiving docks to mitigate the Facility receiving docks activities noise impacts towards receptors to the north. The V-shaped barrier shall have a minimum height of 4.6 metres above the existing parking level and a minimum length of approximately 45 metres, and shall be located as depicted in Figure 8 from the *Acoustic Assessment Report* dated February 20, 2019 and signed by Samuel Pendyala and Kana Ganesh, WSP. The barrier shall be continuous without any holes, gaps or other penetrations, and have a surface mass of at least 20 kilograms per square metre.

- b. **Building #2 parapet north**

The *Company* shall construct the Building #2 rooftop barrier north from the exhaust fans EF_18 and M04, to mitigate the rooftop units noise impacts towards receptors to the north. The barrier shall have a minimum height of 1.2 metres above the Building #2 roof level and a minimum length of approximately 23 metres, and shall be located as depicted in Figure 8 from the *Acoustic Assessment Report* dated February 20, 2019 and signed by Samuel Pendyala and Kana Ganesh, WSP. The barrier shall be continuous without any holes, gaps or other penetrations, and have a surface mass of at least 20 kilograms per square metre.

- c. **Barrier for Building #5 rooftop units**

The *Company* shall construct the rooftop barrier wall north from the exhaust fans, air-cooled condensers and the cooling tower located on the roof of Building #5, in order to mitigate these rooftop units noise impacts towards receptors to the north. The barrier shall have a minimum height of 3 metres above the roof level and a minimum length of approximately 28 metres, and shall be located as depicted in Figure 8 from the *Acoustic Assessment Report* dated February 20, 2019 and signed by Samuel Pendyala and Kana Ganesh, WSP. The barrier shall be continuous without any holes, gaps or other penetrations, and have a surface mass of at least 20 kilograms per square metre.

- d. **New ACC_2 barrier**

The *Company* shall construct a barrier within 1 metre of the new air-cooled condenser (ACC_2) unit, located on the roof of the new expansion building, in order to mitigate this condenser noise impacts towards receptors to the north. The barrier shall have a minimum height of 2 metres above the new expansion building roof level and a minimum length to extend 1 metre beyond the edge of the new unit on either side. The barrier shall be located as depicted in Figure 8 from the *Acoustic Assessment Report* dated February 20, 2019 and signed by Samuel Pendyala and Kana

Ganesh, WSP. The barrier shall be continuous without any holes, gaps or other penetrations, and have a surface mass of at least 20 kilograms per square metre.

e. New ACC_4 barrier

The *Company* shall construct a barrier within 1 metre of the new air-cooled condenser (ACC_4) unit, located on the roof of the new expansion building, in order to mitigate this condenser noise impacts towards receptors to the north. The barrier shall have a minimum height of 2 metres above the new expansion building roof level and a minimum length to extend 1 metre beyond the edge of the new unit on either side. The barrier shall be located as depicted in Figure 8 from the *Acoustic Assessment Report* dated February 20, 2019 and signed by Samuel Pendyala and Kana Ganesh, WSP. The barrier shall be continuous without any holes, gaps or other penetrations, and have a surface mass of at least 20 kilograms per square metre.

The Company shall implement above noted Stage #3 Noise Control Measure not later than December 31, 2021.

and replaced with the following:

SCHEDULE A

NOISE CONTROL MEASURES

Phase 1

1. The Company shall:
 - a. Increase the height of the left portion of the perimeter barrier above berm for a combined height of 5.3 metre above grade and 70 metre long (refer to Appendix D, Figure D1) of the Acoustic Assessment Report. The barrier shall be continuous without any holes, gaps or other penetrations, and have a surface mass of at least 20 kilograms per square metre.
 - b. Install a C-shape acoustic barrier around cooling tower 5 near the northern dock (refer to Appendix D, Figure D1, of the Acoustic Assessment Report). The top of barrier is approximately 7.5 metre high (or 1 metre above the top of tower) and bottom starts at 2 metre above ground. The northern portion is to be 14 metre long with 5 metre return ends (east and west sides). The barrier shall be continuous without any holes, gaps or other penetrations, and have a surface mass of at least 20 kilograms per square metre.

The Company shall implement/construct Phase 1 Noise Control Measures not later than one year after the date of this amended approval, or another date approved in writing by the District Manager.

Phase 2

1. The Company shall:
 - a. Install a rooftop noise barrier 2.5 metre high and approximately 30 metre long at the roof edge

above east docks (refer to Appendix D, Figure D1) of the Acoustic Assessment Report. The barrier shall be continuous without any holes, gaps or other penetrations, and have a surface mass of at least 20 kilograms per square metre.

b. Install a stack silencer for the boiler flue source BLR_2, with an insertion loss of :

Octave Band Centre Frequency (Hz)	63	125	250	500	1 k	2 k	4 k	8 k
Insertion-Loss (dB)	0	0	6	3	3	2	0	0

The Company shall implement/construct Phase 2 Noise Control Measures not later than two years after the date of this amended approval, or another date approved in writing by the District Manager.

Phase 3

1. The Company shall:

- a. Install an L-shape rooftop acoustic barrier on the north and west side to mitigate air cooled condenser ACC_1A and ACC_1B, (refer to Appendix D, Figure D1) of the Acoustic Assessment Report. The top of barrier is approximately 2.5 metre high (or 1 metre above the top of each unit). The western portion is to be 10 metres long with a 4 metre return end at the north. The barrier shall be continuous without any holes, gaps or other penetrations, and have a surface mass of at least 20 kilograms per square metre.
- b. Install a rooftop acoustic barrier on the north side to mitigate air cooled condenser ACC_08 and ACC_2a, (refer to Appendix D, Figure D1) of the Acoustic Assessment Report. The top of barrier is approximately 2.5 metre high (or 1 metre above the top of each unit) and 7 metre long. The barrier shall be continuous without any holes, gaps or other penetrations, and have a surface mass of at least 20 kilograms per square metre.
- c. Install a rooftop acoustic barrier on the north side to mitigate air cooled condenser ACC_2b and ACC_03, (refer to Appendix D, Figure D1) of the Acoustic Assessment Report. The top of barrier is approximately 2.3 metre high (or 1 metre above the top of each unit) and 7 metre long. The barrier shall be continuous without any holes, gaps or other penetrations, and have a surface mass of at least 20 kilograms per square metre.
- d. Install a rooftop acoustic barrier on the north side to mitigate exhaust fan EF_07, (refer to Appendix D, Figure D1) of the Acoustic Assessment Report. The top of barrier is approximately 2.0 metre high (or 1 metre above the top of each unit) and 2 metre long. The barrier shall be continuous without any holes, gaps or other penetrations, and have a surface mass of at least 20 kilograms per square metre.

The Company shall implement/construct Phase 3 Noise Control Measures not later than three years after the date of this amended approval, or another date approved in writing by the District Manager

The reason(s) for this amendment to the Approval are as follows:

- to capture conditions as of 2022 without the facility expansion which was included in the 2019 existing approval
- to exclude the Noise Abatement Action Plan final Phase 3 facility expansion and installation of acoustic barriers

This Notice shall constitute part of the approval issued under Approval No. 2619-B6CSM9 dated March 22, 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 29th day of August, 2023



Miroslav Ubovic, P.Eng.

Director

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

KS/

c: District Manager, MECP Halton-Peel
Kana Ganesh, WSP Canada Inc.