

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 8890-CYMPFD

Issue Date: December 29, 2023

Stubbe's Redi-Mix Inc.
44 Muir Line
Harley, Ontario
N0E 1E0

Site Location: Hickson RMC Plant
596162 Highway 59
East Zorra-Tavistock Township, County of Oxford
N0E 1E0

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:

a permanent read-mix concrete batching plant, operating at the maximum production rate of 1,000 cubic metres per day of concrete, consisting of the following processes and equipment;

- one (1) fly ash storage silo (Silo #2), receiving up to 40 tonnes of fly ash per day, controlled by a silo-top type dust collector (source BH2), equipped with 25 square metres of poly pleated filters and pulse-jet cleaning system, passively exhausting into the atmosphere through a stack, having an exit diameter of 0.05 metre, extending 16.0 metres above grade;
- two (2) Portland cement storage silos (Silo#1 and Silo#3), each controlled by a silo-top type dust collector (source BH1 and BH3), each equipped with 25 square metres of poly pleated filters and pulse-jet cleaning system, each passively exhausting into the atmosphere through a stack, each having an exit diameter of 0.05 metre, each extending 16.0 metres above grade;
- ready mix concrete trucks loading station, equipped with 3-sided enclosure, loading chute and shroud, controlled by the Loading Point baghouse dust collector (source LP);
- one (1) Loading Point baghouse dust collector (source LP), to control emissions from the ready mix concrete trucks loading operations and a cement weight scale, equipped with 117 square metres of polyester filter bags and pulse-jet cleaning system, exhausting into the atmosphere at a nominal volumetric flow rate of 3.78 actual cubic metres per second, through a horizontal stack, having an exit diameter of 0.26 metre,

extending 6.0 metres above grade;

- receiving, handling and storage of raw materials, including sand, aggregate, Portland cement and fly ash, to support daily concrete production rates;
- one (1) natural gas fired water boiler, having a maximum heat input of 2,110,100 kilojoules per hour, discharging into the atmosphere through the stack, having an exit diameter of 0.46 metre, extending 11.6 metres above grade;

all in accordance with the Environmental Compliance Approval Application submitted by Stubbe's Redi-Mix Inc. dated December 12, 2022 and signed by Peter Vanderweerd, Project Manager; the Emission Summary and Dispersion Modelling Report dated January 4, 2023 prepared by Neil Chan (BCX Environmental Consulting); the Acoustic Assessment Report prepared by HGC Engineering, dated November 21, 2022 and signed by Corey Kinart; the emails from Neil Chan (BCX Environmental) dated December 18, 2023 and November 10, 2023; and all supporting information associated with the application.

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 Facility. "Acoustic Assessment Report" also means the Acoustic Assessment Report prepared by HGC Engineering, dated November 21, 2022 and signed by Corey Kinart;
2. "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;
3. "Acoustic Audit Report" means a report presenting the results of an Acoustic Audit, prepared in accordance with Publication NPC-233;
4. "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;
5. "Approval" means this Environmental Compliance Approval, including the application and supporting documentation listed above;
6. "Best Management Practices Plan" means the document titled "Stubbe's Redi-Mix Inc., Hwy 59, Hickson, Ontario, Best Management Practices Plan -Fugitive Dust", revised on November 30, 2023 and approved by Albert Myer, VP of Projects (Stubbe's Redi-Mix Inc.) , as amended;
7. "Company" means Stubbe's Redi-Mix Inc. operating as Stubbe's Redi-Mix 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;

8. "District Manager" means the District Manager of the appropriate local district office of the Ministry, where the Facility is geographically located;
9. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19;
10. "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;
11. "Facility" means the entire operation located on the property where the Equipment is located;
12. "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;
13. "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.
14. "Manual" means a document or a set of documents that provide written instructions to staff of the Company;
15. "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;
16. "Method 22" means US EPA Method 22 - Visual Determination of Fugitive Emissions from Material Sources and Smoke Emissions from Flares.
17. "Noise Control Measures" means measures to reduce the noise emission from the Facility and/or Equipment including, but not limited to silencers, acoustic louvres, enclosures, absorptive treatment, plenums and barriers. It also means the noise control measures outlined in section 6 of the Acoustic Assessment Report;
18. "Operation Summary" means the Operation Summary Table, dated November 28, 2023 and signed by Albert Meyer, VP of Projects (Stubbe's Redi-Mix Inc.);
19. "Publication NPC-103" means the Ministry Publication NPC-103 of the Model Municipal Noise Control By-Law, Final Report, August 1978, published by the Ministry as amended;
20. "Publication NPC-233" means the Ministry Publication NPC-233, Information To Be Submitted For Approval of Stationary Sources Of Sound, October, 1995, as amended;
21. "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
22. "Truck(s)" means ready-mix truck(s), aggregate truck(s), or cementitious material tanker truck(s);

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;
 - 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;
 - vi. procedure to control fugitive dust emissions from materials dropping activities to ensure compliance with the Condition 5.2 of this Approval;
 - vii. 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:
 - a. at all times, ensure, that the noise emissions from the Facility comply with the limits set in Ministry Publication NPC-300;
 - b. ensure that the Noise Control Measures are properly maintained and continue to provide the acoustical performance outlined in the Acoustic Assessment Report;
 - c. limit Trucks arrivals and departures during the day-time hours of 7 a.m. to 7 p.m., in accordance with the following:
 - i. a maximum of eight (8) ready-mix trucks per sixty (60) minute period;
 - ii. a maximum of four (4) aggregate trucks per sixty (60) minute period;
 - iii. a maximum of one (1) cementitious material tanker truck per sixty (60) minute period;
 - d. limit Trucks arrivals and departures during the evening-time hours of to 7 p.m to 11 p.m., in accordance with the following:
 - i. a maximum of two (2) ready-mix trucks per sixty (60) minute period; and
 - e. limit Trucks arrivals and departures during the night-time hours of 11 p.m. to 7 a.m., in accordance with the following:
 - i. a maximum of two (2) ready-mix trucks per sixty (60) minute period.

5. FUGITIVE DUST CONTROL

1. The Company shall implement the Best Management Practices Plan for the control of fugitive dust emissions resulting from the operation of the Facility. The Company shall update the Best Management Practices Plan as necessary or at the direction of the District Manager.
2. The Company shall ensure that visible fugitive dust plum from the activities where material is dropped;
 - a. will not exceed more than 30 metres in any directions from the activities, excluding no more than 6 minutes in any hour; and
 - b. will not extend beyond the property lines at any time;

- c. visible fugitive dust emissions shall be determined as per Method 22, at the closest practical observation location as described in Method 22.

6. ACOUSTIC AUDIT

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

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

1. Conditions No. 1 and No. 5 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 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 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. 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
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

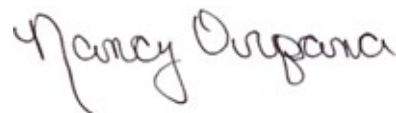
The Director appointed for the purposes
of Part II.1 of the *Environmental
Protection Act*
Ministry of the Environment,
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

*** 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 December, 2023



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

JK/

c: District Manager, MECP London - District

Neil Chan, BCX