

**AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 8379-D5NR8R

Issue Date: July 1, 2024

Miller Paving Limited  
281 Hillmount Road, Suite 101  
Markham, Ontario  
L6C 1P5

Site Location: Miller Paving Limited – Carden Quarry - 356 Miller Road, Carden  
Lot 7-10 & Part Lots 11-12| Part Lots 10-11, Concession 2| 3  
Kawartha Lakes City  
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:*

a limestone quarry, consist of following equipment and emission sources:

- one (1) aggregate crushing plant, Plant B1 Primary Crushing, having a maximum processing rate of 8,500 tonnes per day, consisting of the following equipment and emission sources:
  - a. one (1) crusher complete with one (1) screen and associated conveyers and feeders,;
  - b. one (1) diesel fired engines having a total maximum output capacity of 680 kilowatts;
  - c. fugitive emissions resulting from the delivery, storage, and transfer of materials and products associated with the crushing operations;
- one (1) aggregate crushing plant, Plant B2 Secondary Crushing, having a maximum processing rate of 4,500 tonnes per day, consisting of the following equipment and emission sources:
  - a. two (2) crushers, two (2) screens and associated conveyors and feeders;
  - b. one (1) diesel fired engines having a total maximum output capacity of 1,250 kilowatts;
  - c. one (1) baghouse dust collector to control emissions from Plant B2 crushing and screening operations complete with polyester filter area of 299 square meters, actively discharging to the atmosphere with a flow rate of approximately 9 cubic metres per second through a vent,

- having and exit diameter of 1.1 metres and a height of 4.0 metres above grade;
- d. fugitive emissions resulting from the delivery, storage, and transfer of materials and products associated with the crushing operations;
- one (1) aggregate wash plant having a maximum processing rate of 1,200 tonnes per day, consisting of the following equipment and emission sources:
    - a. aggregate washing; and
    - b. fugitive emissions resulting from the delivery, storage, and transfer of materials and products associated with the washing operations;

all in accordance with the application for an Environmental Compliance Approval (Air) submitted by Miller Paving Limited, dated July 31, 2023, and signed by Bill Kasper, Vice President, Engineering and Facilities; Emission Summary and Dispersion Modelling Report prepared by BCX Environmental Consulting, dated July, 2023; revised Emission Summary and Dispersion Modelling document prepared by BCX Environmental Consulting, dated March 29, 2024; the Primary Noise Screening Method Form prepared by BCX Environmental Consulting, dated August 1, 2023, and signed by Roxana Ungreanu; and all the information associated with the application.

*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. "Best Management Practices Plan" means a document or a set of documents which describe measures to minimize dust emissions from the Facility and/or Equipment;
3. "Company" means Miller Paving 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;
4. "Director" means a person appointed for the purpose of section 20.3 of the EPA by the Minister pursuant to section 5 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 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;
8. "Facility" means the entire operation located on the property where the Equipment is located;
9. "Manual" means a document or a set of documents that provide written instructions to staff of the

Company;

10. "Method 22" means US EPA Method 22 - Visual Determination of Fugitive Emissions from Material Sources and Smoke Emissions from Flares;
11. "Minister" means the Minister of the Environment, Conservation and Parks or such other member of the Executive Council as may be assigned the administration of the EPA under the Executive Council Act;
12. "Ministry" means the ministry of the Minister;
13. "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
14. "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.

*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. NOISE EMISSIONS**

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

### **2. 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;

iv. all appropriate measures to minimize noise and 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.

### **3. FUGITIVE DUST CONTROL**

1. The Company shall develop in consultation with the District Manager, a Best Management Practices Plan for the control of fugitive dust emissions. This Best Management Practices Plan 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 Best Management Practices Plan, and a description of how each Ministry comment was addressed in the Best Management Practices Plan.

2. The Company shall implement the Best Management Practices Plan for the control of fugitive dust emissions to provide effective dust suppression measures to any potential sources of fugitive dust emissions resulting from the operation of the Facility.

### **4. VISIBLE FUGITIVE DUST EMISSIONS**

1. 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.

2. The company shall determine visible fugitive dust emissions as per Method 22, at the shortest practical observation distance as described in the Method 22.

### **5. 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.

## **6. 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, date and location 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.

## **7. CHANGE OF OWNERSHIP**

1. The Company shall notify the Director in writing, and forward a copy of the notification to the District Manager, within thirty (30) days of the occurrence of any of the following changes to Facility operations:
  - a. the ownership of the Facility;
  - b. the operator of the Facility;
  - c. the address of the Company;
  - d. the partners, where the Company is or any time becomes a partnership and a copy of the most recent declaration filed under the Business Names Act, R.S.O. 1990, c. B.17, shall be included in the notification; or
  - e. the name of the corporation where the Company is or at any time becomes a corporation, other than a municipal corporation, and a copy of the most current information filed under the Corporations Information Act, R.S.O. 1990, c. C.39, shall be included in the notification.
2. In the event of any change in ownership of the Facility, the Company shall notify the successor of the existence of this Approval and provide the successor with a copy of this Approval, and the

Company shall provide a copy of the notification to the District Manager and the Director.

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

1. Conditions No. 1 to 4 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. 5 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. Conditions No. 6 to 7 are 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.

**Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s) 3361-7QHTVF issued on April 29, 2009.**

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\*

The Minister of the Environment,

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

Ontario Land Tribunal  
655 Bay Street, Suite 1500  
Toronto, Ontario  
M5G 1E5  
OLT.Registrar@ontario.ca

and

Conservation and Parks  
777 Bay Street, 5th Floor  
Toronto, Ontario  
M7A 2J3

and

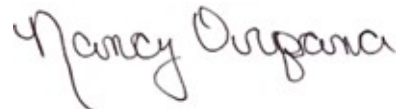
Ministry of the Environment,  
Conservation and Parks  
135 St. Clair Avenue West, 1st Floor  
Toronto, Ontario  
M4V 1P5

**\* 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 1st day of July, 2024



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Nancy E Orpana, P.Eng.

Director

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

JL/

c: District Manager, MECP Peterborough  
Roxana Ungureanu, BCX Environmental Consulting