

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 7103-D66HH3

Issue Date: July 2, 2024

Sarnia Concrete Products Limited
166 Devine St
Sarnia, Ontario
N7T 0A3

Site Location: 800 Gillard Street
800 Gillard St Wallaceburg
Chatham-Kent Municipality,

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 ready-mix concrete batching plant having a maximum production rate of 2,016 cubic metres per day and consisting of:

- one (1) baghouse dust collector, serving storage silo 1 having a storage capacity of 48 tonnes for Portland cement, equipped with polyester filter material having a filtering area of 1.1 square metres and a mechanical shaker cleaning system, discharging to the air at a maximum volumetric flow rate of 0.57 cubic metre per second, through a side vent (ID: DC1) having exit dimensions of 0.1 metre by 0.1 metre, and located 17 metres above grade;
- one (1) baghouse dust collector, serving storage silo 2 having a storage capacity of 36 tonnes of cement supplements, equipped with polyester filter material having a filtering area of 1.1 square metres and a mechanical shaker cleaning system, discharging to the air at a maximum volumetric flow rate of 0.57 cubic metre per second, through a side vent (ID: DC2) having exit dimensions of 0.1 metre by 0.1 metre, and located 19 metres above grade;
- one (1) natural gas-fired boiler, having a maximum heat input of 1,317,770 kilojoules per hour, discharging to the air through a stack (ID: B1) having an exit diameter of 0.25 metre, extending 1.5 metres above the roof, and 5.5 metres above grade;
- fugitive emissions resulting from the delivery, storage and transfer of materials associated with the

ready-mix concrete batching operations;

all in accordance with the Environmental Compliance Approval Application, dated July 18, 2023, and signed by Matt Monteith, Production Manager; the Emission Summary and Dispersion Modelling report prepared by WSP E&I Canada Limited, dated July 17, 2023, and signed by Justin Tayles, P.Eng. and Linda Lattner, P.Eng.; the supporting Acoustic Assessment Report prepared by HGC Engineering, dated March 10, 2023, and signed by Danielle Mota, EIT and Corey Kinart, P.Eng..

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, by Danielle Mota / HGC Engineering and dated March 10, 2023 submitted in support of the application, that documents 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" means a document or a set of documents which describe measures to minimize dust emissions from the Facility and/or Equipment;
4. "Company" means Sarnia Concrete Products 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. "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;
6. "District Manager" means the District Manager of the appropriate local district office of the Ministry, where the Facility is geographically located;
7. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19;
8. "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;
9. "Facility" means the entire operation located on the property where the Equipment is located;
10. "Manual" means a document or a set of documents that provide written instructions to staff of the Company;
11. "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;
12. "Noise Control Measures" means measures to reduce the noise emissions from the Facility and/or

Equipment including, but not limited to, silencers, acoustic louvres, enclosures, absorptive treatment, plenums and barriers, described in the Company's application, Schedule A of this Approval and in the supporting documentation referred to herein, including the Acoustic Assessment Report, to the extent approved by this Approval;

13. "Publication NPC-233" means the Ministry Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October, 1995 as amended;
14. "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
15. "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. 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 fugitive 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. 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 submit the Best Management Practices Plan to the District Manager not later than three months after the date of this Approval or as otherwise indicated by the District Manager.
3. Upon acceptance of the Best Management Practices Plan by the District Manager, the Company shall immediately 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. The Company shall update the Best Management Practices Plan as necessary, in consultation with the District Manager, or at the direction of the District Manager.

3. 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.

4. 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.

5. NOISE

1. The Company shall ensure, subsequent to the completion of the Noise Control Measures, that the noise emissions from the Facility comply with the limits set out in Ministry Publication NPC-300.
2. The Company shall restrict operation of the Equipment to the daytime and evening periods between 7:00 AM and 11:00 PM.

6. NOISE CONTROL MEASURES

1. The Company shall:
 - a. fully implement the Noise Control Measures specified in the Acoustic Assessment Report and detailed in Schedule A of this Approval, not later than twelve (12) months after the date of issuance of the Approval;
 - b. ensure that the Noise Control Measures are properly maintained and continue to provide the acoustical performance outlined in the Acoustic Assessment Report.

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.

SCHEDULE A

Noise Control Measures

1. One (1) 2 metres high acoustic barrier located west of the ready-mix truck identified as noise source NS-06, extending at least 37 metres long as depicted in Figure 4 of the Acoustic Assessment Report, continuous without holes, gaps or other penetrations, and having surface mass at least 20 kilograms per square metre.
2. One (1) 3 metres high acoustic barrier located west of the cement tanker truck identified as noise source NS-03, extending at least 65 metres long as depicted in Figure 4 of the Acoustic Assessment Report, continuous without holes, gaps or other penetrations, and having surface mass at least 20 kilograms per square metre.

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

1. Conditions No. 1 and 2 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. 3 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. 4 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. 5 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 implement a Noise Control Measures designed to ensure that the noise emissions from the Facility will be in compliance with applicable limits set in the Ministry's noise guidelines.
6. Condition No. 7 is included to require the Company to notify/report to the Ministry so that compliance with the EPA, the regulations and this Approval can be verified.

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 3604-7NJSJ8 issued on January 30, 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*
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 2nd day of July, 2024



Nancy E Orpana, P.Eng.

Director

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

ES/

c: Area Manager, MECP Windsor

c: District Manager, MECP Sarnia

David Tayles, WSP E&I Canada Limited