

**AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 1780-CZBVAR

Issue Date: September 13, 2024

Bodycote Heat Treatment Canada, Inc.  
4211 Mainway  
Burlington, Ontario  
L7L 5N9

**Site Location:** 4211 Mainway, Burlington, 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:*

- six (6) natural gas fired fume incinerators, each having a maximum heat input of up to 395,625 kilojoules per hour, operated at a minimum temperature of 871 degrees Celsius, to control ammonia emissions from electric nitriding furnaces;
- one (1) natural gas fired heat treating furnace, having a maximum heat input of 1,266,000 kilojoules per hour;
- one (1) natural gas fired evaporator, having a maximum heat input of 464,200 kilojoules per hour;
- one (1) cooling tower, having a circulating water flow rate of 454 litres per minute;

discharging into the air via applicable exhaust systems, as described in the ESDM Report.

All in accordance with the Application for an Environmental Compliance Approval (Air and Noise) dated October 16, 2023 and signed by Marlena Patryn of Bodycote Heat Treatment Canada, Inc.; the ESDM Report; the Acoustic Assessment Report and all supporting information.

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

1. "Acoustic Assessment Report" means the Acoustic Assessment Report prepared by Pinchin Ltd., dated October 3, 2023 and signed by Aidan Maher, P.Eng.;
2. "Approval" means this Environmental Compliance Approval, including the application and supporting documentation listed above;

3. "Company" means Bodycote Heat Treatment Canada, 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;
4. "District Manager" means the District Manager of the appropriate local district office of the Ministry, where the Facility is geographically located;
5. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19;
6. "ESDM Report" means the Emission Summary and Dispersion Modelling Report which was prepared in accordance with section 26 of O. Reg. 419/05 and the Procedure Document by Pinchin Ltd. and dated October 10, 2023, submitted in support of the application, and includes any changes to the report made up to the date of issuance of this Approval;
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. "Facility" means the entire operation located on the property where the Equipment is located;
9. "Fume Incinerators" means all the fume incinerators serving the electric nitriding furnaces, described in the Company's application, this Approval and in the supporting documentation submitted with the application, to the extent approved by this Approval;
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. "Procedure Document" means Ministry guidance document titled "Procedure for Preparing an Emission Summary and Dispersion Modelling Report" dated March 2018, as amended; and
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.

*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 odorous emissions from all potential sources; and
  - b. implement the recommendations of the Manual.
2. The Company shall maintain the operating temperature in the combustion chamber of the Fume Incinerators at a minimum temperature of 871 degrees Celsius, as measured by the continuous temperature monitor at all times during the operation of the nitriding furnaces.

## **2. CONTINUOUS MONITORING**

1. The Company shall continuously monitor and record the temperature at the exit of the combustion chamber of the Fume Incinerators. The continuous temperature monitoring and recording system shall comply with the requirements in Schedule "A" of this Approval.

## **3. 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.
2. The Company shall restrict the operation of the tanker trucks to the daytime hours from 7 a.m. to 7 p.m.

## **4. 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.

## **5. 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 and date of the incident to which the complaint relates; and
  - c. 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. 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;
  - 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"**

### **Continuous Temperature Monitoring System**

#### **PARAMETER:**

Temperature

#### **LOCATION:**

The sample point for the continuous temperature monitoring and recording system shall be at a location where the measurements are representative of the minimum temperature of the gases leaving the combustion chamber of the Fume Incinerators.

#### **PERFORMANCE:**

The Continuous Temperature Monitor shall meet the following minimum performance specifications for the following parameters:

<b>PARAMETERS</b>	<b>SPECIFICATION</b>
Type	shielded "K" type thermocouple, or equivalent
Accuracy	5 degrees Celsius or less.

#### **DATA RECORDER:**

The data recorder must be capable of registering continuously the measurement of the monitor without a significant loss of accuracy and with a time resolution of 5 minutes or better.

#### **RELIABILITY:**

The monitor shall be operated and maintained so that accurate data is obtained during a minimum of 90 percent of the time, on a monthly basis, when the Equipment is in operation.

*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 gather information on a continuous basis so that compliance with the EPA, the Regulations and this

Approval can be verified.

3. Condition No. 3.1 is included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the Facility.
4. Condition No. 3.2 is included to ensure that operation of the tanker trucks is not extended beyond the stated hours to prevent an adverse effect resulting from the operation of the Equipment.
5. Condition No. 4 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.
6. Condition Nos. 5 & 6 are 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). 2145-BD4PUD issued on December 13, 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](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 13th day of September,  
2024



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

QN/  
c: District Manager, MECP Halton-Peel  
Daniel Barbisan, Pinchin Ltd.