

**AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 8252-B8FLDJ

Issue Date: April 25, 2019

Pedersen Construction Inc.  
177246 Bedard Road  
Post Office Box No.2409  
Temiskaming Shores, Ontario  
P0J 1P0

**Site Location:** 177246 Bedard Road  
Temiskaming Shores City, District of Timiskaming  
P0J 1P0

*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:*

one (1) ready-mix concrete batching plant having a maximum concrete production rate of 300 metric tonnes per day, including the following equipment discharging to the air:

- one (1) *Furnace* equipped with an atomizing burner, firing waste-derived fuel (*WDF*) at a maximum rate of 6.4 litres per hour, discharging to the air at a maximum volumetric flow rate of 1.27 cubic metres per second, through a stack (identified as EX-5), equipped with a rain cap, having an exit diameter of 0.2 metre and extending 1.83 metres above the roof and 6.7 metres above grade;
- one (1) *WDF Day Tank*, having a maximum total *WDF* storage capacity of 757 litres, with the *WDF* furnace supply line located a minimum of 1.1 metres from the bottom of the tank, filtering *WDF* through a 75 micron filter followed by a 9.8 micron filter prior to the *WDF* being burned in the *Furnace*;
- three (3) *WDF Bulk/Supply Tanks*, each having a maximum *WDF* storage capacity of 4,540 litres;
- one (1) natural gas-fired process water heater, having a maximum thermal rating of 5,275,000 kilojoules per hour, discharging to the air at a maximum volumetric flow rate of 0.41 cubic metre per second through a stack (identified as EX-6), equipped with a rain cap, having an exit diameter of 0.3 metre and extending 3.05 metres above the roof and 6.7 metres above grade;
- one (1) baghouse dust collector to control emissions from the exterior cement silo, equipped with spun bound polyester cartridge filter material having a filtering area of 24.5 square metres and a pulse jet cleaning system, discharging into the air at a maximum volumetric flow rate of 0.71 cubic metre per second through a horizontal stack, identified as EX-1, having an exit diameter of 0.81 metre, extending 17.7

metres above grade;

- one (1) baghouse dust collector to control emissions from the exterior slag silo, equipped with spun bound polyester cartridge filter material having a filtering area of 24.5 square metres and a pulse jet cleaning system, discharging into the air at a maximum volumetric flow rate of 0.71 cubic metre per second through a horizontal stack, identified as EX-2, having an exit diameter of 0.81 metre, extending 17.7 metres above grade;
- one (1) baghouse dust collector to control emissions from the workhouse cement silo, equipped with spun bound polyester cartridge filter material having a filtering area of 24.5 square metres and a pulse jet cleaning system, discharging into the air at a maximum volumetric flow rate of 0.71 cubic metre per second through a horizontal stack, identified as EX-3, having an exit diameter of 0.81 metre, extending 16.8 metres above grade;
- one (1) baghouse dust collector to control emissions from the portable cement silo unit, equipped with spun bound polyester cartridge filter material having a filtering area of 22.8 square metres and a pulse jet cleaning system, discharging into the air at a maximum volumetric flow rate of 0.28 cubic metre per second through a horizontal stack, identified as EX-4, having an exit diameter of 0.17 metre, extending 6.1 metres above grade;
- fugitive emissions from mix truck loading operations;
- fugitive emissions from maintenance welding activities; and
- fugitive emissions from the delivery, storage and transfer of materials associated with ready-mix concrete batching operations;

all in accordance with the Application for Approval (Air & Noise) dated April 27, 2018 signed by Alec Pedersen and all supporting information associated with the application, including an Emission Summary and Dispersion Modelling report prepared by EXP Services Inc., dated November 2018; additional information provided via email by Joseph Carrey / EXP Services Inc. and dated January 15, 2019; an Acoustic Assessment Report prepared by EXP Services Inc., dated July 26, 2018, and signed by Ron Taylor; and all other documentation 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 EXP Services Inc., dated July 26, 2018, and signed by Ron Taylor;

2. *"Approval"* means this Environmental Compliance Approval, including the application and supporting documentation listed above;
3. *"ASTM"* means American Society for Testing and Materials;
4. *"Batch"* means a quantity of *WDF* contained in a *WDF Bulk/Supply Tank* at the time the *WDF Bulk/Supply Tank* is sampled and a *Seal* is applied to the *WDF Bulk/Supply Tank*;
5. *"Best Management Practices Plan"* means the document titled "Best Management Practices Plan - Fugitive Dust", dated November 2018 and prepared by EXP Services Inc.;
6. *"Company"* means Pedersen Construction Inc., that is responsible for the construction or operation of the *Facility* and includes any successors and assigns;
7. *"District Manager"* means the District Manager of the appropriate local district office of the *Ministry*, where the *Facility* is geographically located;
8. *"EPA"* means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;
9. *"Equipment"* means the equipment or 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*;
10. *"Facility"* means the entire operation located on the property where the *Equipment* is located;
11. *"Furnace"* means the one (1) furnace equipped with an atomizing burner, firing *WDF*, described in the *Company's* application, this *Approval* and in the supporting documentation submitted with the application, to the extent approved by this *Approval*;
12. *"Manual"* means a document or a set of documents that provide written instructions to staff of the *Company*;
13. *"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;
14. *"Noise Control Measures"* means measures to reduce the noise emission from the *Facility* including, but not limited to silencers, acoustic louvres, enclosures, absorptive treatment, plenums and barriers;
15. *"Owner"* means any person that is responsible for the establishment or operation of the *Site* being approved by this *Approval*, and includes the *Company*, its successors and assigns;

16. "*Operator*" means any person, other than the *Owner's* employees, authorized by the *Owner* as having the charge, management or control of any aspect of the *Site*;
17. "*Publication NPC-233*" means the *Ministry* Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October, 1995 as amended;
18. "*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;
19. "*Regulation 347*" means Ontario Regulation 347 R.R.O. 1990;
20. "*Representative Sample*" means a sample that represents the composition of the contents of the *WDF Bulk/Supply Tank*;
21. "*Seal*" means a physical device, having a unique identifier, applied to a *WDF Bulk/Supply Tank* and/or associated valves, which once applied must be removed in order to allow for the addition of material to a *WDF Bulk/Supply Tank*, and furthermore must be broken to be removed;
22. "*Site*" means the *Facility* located at 177246 Bedard Road, Temiskaming Shores, Ontario;
23. "*Truck(s)*" means ready-mix truck(s), aggregate truck(s), or cementitious material tanker truck(s);
24. "*WDF*" means waste-derived fuel as defined in *Regulation 347*;
25. "*WDF Bulk/Supply Tank*" means the three (3) waste-derived fuel tanks and associated valves, that is used either as a bulk reservoir for *WDF* generated on-site only, or as a *WDF Supply Tank* when it is operated as the sole supply of *WDF* to the *WDF Day Tank*;
26. "*WDF Day Tank*" means the one (1) waste-derived fuel tank that is operated as the sole supply of *WDF* to the *Furnace*; and
27. "*WDF Supply Tank*" means the waste-derived fuel tank containing *WDF* only, that has been demonstrated to meet the criteria of *WDF* as required by *Regulation 347*, and is operated as the sole supply of *WDF* to the *WDF Day Tank*.

*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 not burn the contents of the *WDF Bulk/Supply Tank* that has not been sampled, analysed and demonstrated to meet *WDF* criteria as defined in *Regulation 347*, in accordance with Conditions 2.2 to 2.5 of this *Approval*.
2. The *Owner* and *Operator* shall ensure compliance with all the conditions of this *Approval* and shall ensure that any person authorized to carry out work on or operate any aspect of the *Furnace* is notified of this *Approval* and the conditions herein and shall take all reasonable measures to ensure any such person complies with the same.
3. Any person authorized to carry out work on or operate any aspect of the *Furnace* shall comply with the conditions of this *Approval*.
4. 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. procedures for all Terms and Conditions included as part of this *Approval*; and
    - v. all appropriate measures to minimize noise and odorous emissions from all potential sources;
  - b. implement the recommendations of the *Manual* and create a record of all maintenance activities;
  - c. provide training on the proper maintenance and use of the *Equipment*, for all staff involved in the operation of the *Equipment*; and
  - d. provide a copy of the *Manual* to all staff involved in the operation of the *Equipment*.
5. The *Company* shall:
  - a. ensure all outdoor fine aggregate and sand storage piles are stored within three-sided walled enclosures; and
  - b. ensure the heights of all outdoor fine aggregate and sand storage piles

do not exceed the height of the enclosure walls.

6. The *Company* shall restrict the operation of the *Furnace* to the hours of 7:00 am to 5:00 pm.

## 2. **WDF STORAGE, SAMPLING AND ANALYSIS**

1. The *Company* shall direct *WDF* generated continuously or periodically as a result of regular on-site operations to the *WDF Bulk/Supply Tanks* only. The tank receiving *WDF* at any time shall be labelled as "*WDF Bulk Tank*".
2. The *Company* shall analyse a *Representative Sample* of the *Batch* of *WDF* stored in the *WDF Bulk Tank* that represents the composition of the contents of the *WDF Bulk Tank*. The sample shall be taken in accordance with *Regulation 347*; "Industrial Waste Sampling Procedures Manual, 1989, PIBS Number 339" prepared by the Waste Management Branch of the *Ministry*; and the "Guide to the Collection and submission of Samples for Laboratory Analysis, 1989" prepared by the Laboratory Services Branch of the *Ministry*. The sample shall be one (1) vertical profile sample or one (1) composite sample of a mix of equal volume of grab samples taken from a minimum of three (3) different vertical locations (bottom, middle and top).
3. The *Company* shall apply a *Seal* to the *WDF Bulk Tank* immediately after a sample of the *Batch* of *WDF* has been taken for analysis. The unique identifier of each *Seal* applied to the *WDF Bulk Tank* must correspond to the analysis of the *Batch* of *WDF* from which the *Representative Sample* was taken.
4. The *Company* shall submit the *Representative Sample* for analysis to an accredited laboratory. All analysis procedures shall be based on *ASTM* methods that have a minimum detection limit of 50 percent or less of the specified value (excluding flash point). The analysis shall be conducted to determine whether the *Representative Sample* meets the requirements of *WDF* as required by *Regulation 347*.
5. The *Company* shall demonstrate that the *Representative Sample* meets the requirements of *WDF* as required by *Regulation 347*, prior to directing *WDF* to the *Furnace* via the *WDF Day Tank*. The *WDF Bulk Tank* equipped with a *Seal*, containing the *Batch* of *WDF* which has been demonstrated to meet the criteria of *WDF* as required by *Regulation 347* shall be operated and labelled as "*WDF Supply Tank*".
6. The *Company* shall direct additional volume of *WDF* to the *WDF Bulk Tank* only. Breaking of a *Seal* applied to the *WDF Supply Tank*, constitutes a new *Batch* of *WDF*. The *Company* shall repeat Conditions 2.1 through 2.5 upon breaking a *Seal*.

7. The *Company* may transfer tested and approved *WDF* from the *WDF Supply Tank* to the *WDF Day Tank* for use in the *Furnace*.
8. The *Company* shall operate the *Furnace* with the designated *WDF Day Tank* as the only source of *WDF* to the *Furnace*.
9. The *Company* shall locate the *WDF Bulk/Supply Tanks* and the *WDF Day Tank* in the designated storage areas, as described in the application for *Approval* and the supporting documentation.
10. The *Company* shall ensure that all *WDF* shall be stored in accordance with *Ministry* publication "Guidelines for Environmental Protection Measures at Chemical and Waste Storage Facilities", dated May 2007. *WDF* shall be segregated from other incompatible wastes and materials.

### 3. WASTE DISPOSAL

1. The *Company* shall dispose of all waste material collected for use as *WDF* which does not meet *WDF* criteria in *Regulation 347* by a *Ministry* approved waste hauler.

### 4. MONITORING AND RECORD KEEPING

1. The *Company* shall record in writing the volumes of any waste materials collected for use as *WDF*, disposed of by a *Ministry* approved waste hauler, as well as the corresponding laboratory analysis and *Seal* applied to the *WDF Bulk Tank* for the *Batch* of waste materials which did not meet *WDF* criteria as required by *Regulation 347*.
2. The *Company* shall monitor and record in writing the following information related to the samples of *WDF* taken from the *WDF Bulk Tank* pursuant to the sampling and analysis requirements set out in Conditions 2.2 to 2.5 of this *Approval*:
  - a. volume of the *WDF Bulk Tank*;
  - b. date when *Representative Sample* is taken and date submitted for laboratory analysis;
  - c. date and unique identifier of the *Seal* applied to the *WDF Bulk Tank*, and the laboratory analysis for the corresponding *Batch* of *WDF*;
  - d. comparison of the analytical results of the *Representative Sample* to the requirements of *WDF* as required by *Regulation 347*; and
  - e. a log indicating the quantity of *WDF* burned between each date of sampling and/or maintenance, repair or inspection of the *Furnace*.
3. The *Company* shall monitor and record in writing the quantity of *WDF* burned by the *Furnace* by:

- a. Connecting an elapsed-time meter on the *Furnace* circuit that will indicate the total time that the *Furnace* is in operation and by multiplying the elapsed time by the design average fuel consumption rate for the *Furnace*; or
  - b. Connecting a volumetric flow meter on the *Furnace* circuit that will indicate the volume of *WDF* burned in the *Furnace*; or
  - c. By using an alternate procedure that the *Company* proposes and the *District Manager* authorizes in writing.
4. The *Company* shall record in writing the following information related to the operation of the *Equipment*:
- 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. 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 Monitoring and Record Keeping activities required by this *Approval*, and make these records available for review by staff of the *Ministry* upon request.

## **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 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 and to prevent a similar occurrence in the future.

## **7. 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*.

## 8. NOISE

1. The *Company* shall:
  - a. implement the *Noise Control Measures* as outlined in the *Acoustic Assessment Report* ;
  - b. following the implementation of the *Noise Control Measures*, comply with the limits set out in *Publication NPC-300*;
  - c. properly maintain the *Noise Control Measures* ensuring that they continue to meet the acoustical performance outlined in the *Acoustic Assessment Report*;
  - d. 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 four (4) ready-mix trucks per sixty (60) minute period;
    - ii. a maximum of three (3) aggregate trucks per sixty (60) minute period;
    - iii. a maximum of one (1) cementitious material tanker truck per sixty (60) minute period;
  - e. limit *Trucks* arrivals and departures during the evening-time hours of 7 p.m to 11 p.m., in accordance with the following:
    - i. a maximum of four (4) ready-mix trucks per sixty (60) minute period; and
    - ii. a maximum of three (3) aggregate trucks per sixty (60) minute period;
  - f. 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 four (4) ready-mix trucks per sixty (60) minute period; and
    - ii. a maximum of three (3) aggregate trucks per sixty (60) minute period;
  - g. restrict cementitious material tanker truck deliveries to daytime hours of 7 a.m. to 7 p.m.

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

1. Conditions No. 1, 2, and 7 are included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the *Equipment* and 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 dispose of waste materials in a manner which does not result in a nuisance or a hazard to the health and safety of the environment or people.
3. Conditions No. 4 and 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.
4. Condition No. 6 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.
5. Condition No. 8 is included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the *Facility*.

**Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 2625-6YSLDL, 8-5004-94-977 issued on April 1, 2007, January 16, 1997.**

*In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me, the Environmental Review Tribunal and in accordance with Section 47 of the Environmental Bill of Rights, 1993, S.O. 1993, c. 28 (Environmental Bill of Rights), the Environmental Commissioner, within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Environmental Commissioner will place notice of your appeal on the Environmental Registry. Section 142 of the Environmental Protection Act provides that the Notice requiring the hearing 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:*

The Secretary*		The Environmental		The Director appointed for the purposes of
Environmental Review Tribunal		Commissioner		Part II.1 of the Environmental Protection Act
655 Bay Street, Suite 1500	AND	1075 Bay Street, Suite 605	AND	Ministry of the Environment, Conservation
Toronto, Ontario		Toronto, Ontario		and Parks
M5G 1E5		M5S 2B1		135 St. Clair Avenue West, 1st Floor
				Toronto, Ontario
				M4V 1P5

**\* Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349, Fax: (416) 326-5370 or [www.ert.gov.on.ca](http://www.ert.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 [www.ebr.gov.on.ca](http://www.ebr.gov.on.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 25th day of April,  
2019

Jeffrey McKerrall, P.Eng.  
Director  
appointed for the purposes of Part  
II.1 of the *Environmental Protection  
Act*

HD/  
c: Area Manager, MECP North Bay  
c: District Manager, MECP Sudbury  
Ron Taylor, EXP Services Inc.