

AMENDED ENVIRONMENTAL COMPLIANCE APPROVALNUMBER 1300-BAHKY9
Issue Date: June 13, 2019

Ingram Asphalt Inc.
103 Ingram Drive
Toronto, Ontario
M6M 2L7

Site Location: 103 Ingram Drive
103 Ingram Dr Toronto Ontario
Toronto City,

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) batch mix hot asphalt (HMA) plant, having a maximum production rate up to 1,800 tonnes of HMA per day and up to 100,000 tonnes of HMA per year, consisting of the following equipment and operations:

- one (1) aggregate dryer, equipped with a natural gas fired burner, having a maximum thermal input rating of 137 gigajoules per hour, and one (1) mixing tower, operating at the maximum temperature of HMA of 154 degrees Celsius (310 F), discharging into the air through a cyclone separator and a baghouse dust collector;
- one (1) pulse jet type baghouse dust collector to control emissions from an aggregate dryer and mixing tower, equipped with;
 - a. cyclone separator (pre-cleaner);
 - b. 732 square metres of nomex filter material;
 - c. clean-on-demand bags cleaning system; and
 - d. leak detection and a baghouse performance system;exhausting into the atmosphere at a nominal volumetric flow rate of 25.5 actual cubic metres per second at an approximate temperature of 110 degrees Celsius, through a stack, having a rectangular exit of 1.0 metre by 0.9 metre, extending 15.2 metres above grade;
- one (1) vapour recovery system (VRS) to control emissions from HMA trucks loading operations,

HMA storage silos transfers and filling operations, exhausting into the atmosphere at a nominal volumetric flow rate of 18.9 actual cubic metres per second at an approximate temperature of 25 degrees Celsius, through a stack, having a rectangular exit of 1.09 metre by 0.86 metre, extending 5.6 metres above grade;

- two (2) liquid asphalt cement storage tanks, each having a nominal capacity of 37 tonnes, each operating at the maximum temperature of 154 degrees Celsius (310 F), each venting into the atmosphere through an aggregate dryer;
- one (1) liquid asphalt cement storage tank, having a nominal capacity of 40 tonnes, operating at the maximum temperature of 154 degrees Celsius (310 F), venting into the atmosphere through an aggregate dryer;
- liquid asphalt cement receiving operations, performed at the maximum receiving rate of 40 tonnes per day at the maximum receiving temperature of 154 degrees Celsius (310 F);
- Ecosorb additive mixing with liquid asphalt cement to control odour emissions;
- one (1) natural gas fired hot oil heater, to maintain asphalt cement storage tanks temperature, having a maximum thermal input of 2.11 gigajoules per hour;
- two (2) not heated insulated HMA storage silos, each having a nominal capacity of 80 tonnes, each discharging into the atmosphere through a VRS system;
- cold virgin/recycled asphalt pavements (RAP) receiving, storage, transfers and any other supporting equipment/operations to support HMA production rate of 1,800 tonnes per day;
- portable crushing plant, containing a crusher, screen and stacker, to process recycled concrete and RAP at the maximum 2,400 tonnes per day and up to 20,000 tonnes per year

all in accordance with the Application for Approval (Air & Noise) submitted by Ingram Asphalt Inc. dated February 14, 2019, and signed by Rohit Bhansal, President, the ESDM Report dated April 8, 2019 and prepared by Melisa Annett (RWDI AIR Inc.), the emails from Alison Gonano, B.Sc. (RWDI) dated April 26 and April 30, 2019, and all other supporting information associated, including the *Acoustic Assessment Report* prepared by RWDI AIR Inc., dated April 12, 2019 and signed by Kyle Hellewell, P.Eng.; and the emails from Katie Allen (RWDI) dated May 2 and May 15, 2019.

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 RWDI AIR Inc., dated April 12, 2019 and signed by Kyle Hellewell, P.Eng.;
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. "*BMPP* " means the "Ingram Asphalt Inc., North York, ON, Mitigation Plan" dated March 5, 2019, prepared by RWDI and submitted with the application;
7. "*Company*" means Ingram Asphalt Inc. that is responsible for the construction or operation of the *Facility* and includes any successors and assigns;
8. "*Director*" means any person appointed in writing by the Minister pursuant to section 5 of the *EPA* as a Director for the purposes of section 9 of the *EPA*;
9. "*District Manager* " means the District Manager of the appropriate local district office of the *Ministry*, where the *Facility* is geographically located;
10. "*EPA* " means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;
11. "*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* ;
12. "*Facility*" means the entire operation located on the property where the *Equipment* is located;
13. "*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*;
14. "*Manager*" means the Manager, Technology Standards Section, Technical Assessment and Standards Development Branch, or any other person who represents and carries out the duties of the Manager, Technology Standards Section, Technical Assessment and Standards Development Branch, as those duties relate to the conditions of this *Approval*;

15. "*Manual*" means a document or a set of documents that provide written instructions to staff of the *Company*;
16. "*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;
17. "*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. It also means the noise control measures outlined in the *Acoustic Assessment Report*;
18. "*Pre-Test Plan*" means "Compliance Source Testing Pre-Test Plan Dryer Exhaust Stack & New Vapour Recovery System, Ingram Asphalt Inc.", RWDI #1402206 dated September 4, 2018 and submitted by Melissa Annett, Senior project Manager, Associate and John Green, QSTI, Senior Field Group Specialist;
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; and
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.
22. "*Source Testing Code*" means the Ontario Source Testing Code, dated June 2010, prepared by the *Ministry*, 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, including;

- ii. set-up and operations of the clean-on-demand bags cleaning system;
 - iii. set-up and operations of the VRS;
 - iv. set up and operations of the leak detection and a baghouse performance system;
 - v. frequency of the inspection and replacement of the filter bags in the baghouse based on the leak detection and a baghouse performance system reading;
 - vi. pre-season start-up procedures, including the baghouse/baghouse differential pressure system inspection/maintenance;
 - vii. emergency procedures, including;
 - a. spill clean-up procedures;
 - b. shut-down of the dryer/mixer, as indicated by the leak detection and a baghouse performance system reading;
 - c. shut-down the production of HMA when VRS is malfunctioning or operating out of recommended parameters;
 - viii. procedures for any record keeping activities relating to operation and maintenance of the *Equipment*; and
 - ix. all appropriate measures to minimize noise, fugitive dust and odorous emissions from all potential sources; and
- b. implement the recommendations of the *Manual*;
 - c. implement the *BMPP*. The *BMPP* shall be updated/revised as necessary, or as per *District Manager* request;
 - d. prepare and implement procedures to monitor and keep records of the loss on heating (standard RTFOT test) of the received liquid asphalt cement to ensure that the annual average loss on heating for the received liquid asphalt cement is not greater than 0.5%;
 - e. prepare and implement procedures to monitor and keep records of the liquid asphalt cement storage tanks temperature, to ensure that liquid cement storage tanks do not operate above the maximum operating temperature described in this *Approval*;
 - f. prepare and implement procedures to monitor and keep records of the Ecosorb additive usage to reduce odour emissions from liquid asphalt cement;
 - g. prepare and implement procedures to determine and keep records of the temperatures of the HMA as it leaves the mixing process to ensure that drum mixer and HMA silos do not operate above the maximum operating temperature described in this *Approval*;
 - h. the facility should not start operation unless;
 - i. the annual pre-season start-up inspection have been conducted and all required repairs to the baghouse, the baghouse pressure differential system, the leak detection and a baghouse performance system, and any other items related to environmental emissions have been made and;

- ii. the *District Manager* has been notified about planned start-up date (annually, or as per agreement with *District Manager*);
2. Portable crushers/screeners and other equipment should be located at the site according to the "Site Plan Showing Locations of Significant Sources, Buildings, and Property Boundary" drawing included with the *ESDM Report*;
3. HMA truck loading operations shall be performed only from HMA storage silos.

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*, including:
 - i. record of the baghouse differential pressure monitoring system and the leak detection and a baghouse performance system;
 - ii. records of shut-down of the dryer/mixer when the differential pressure reading or the leak detection and a baghouse performance system is not within the recommended range;
 - iii. records of the annual preseason start-up inspections;
 - iv. all production records;
 - 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 REQUIREMENTS

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.
2. The *Company* shall notify the *District Manager* of the baghouse differential pressure system and the leak detection and a baghouse performance system installation schedule, commissioning, verification of performance and a start up of operations.

4. NOISE

1. The *Company* shall:
 - a. implement the *Noise Control Measures* as outlined in Table F.2 of the *Acoustic Assessment Report*;
 - b. following the implementation of the *Noise Control Measures*, comply with the limits set out in *Publication NPC-300*; and
 - c. properly maintain the *Noise Control Measures* ensuring that they continue to meet the acoustical performance outlined in the *Acoustic Assessment Report*.

5. SOURCE TESTING

1. The *Company* shall finalize the Source Testing of the VRS (as described in the *Pre-Test Plan*, excluding testing for benzo(a)pyrene) not later than three (3) months after the date of this *Approval* or within a period as directed or agreed to in writing by the *Manager* and the *District Manager*.
2. The *Company* shall notify the *Manager*, the *District Manager* and the *Director* in writing of the location, date and time of any impending *Source Testing* required by this *Approval*, at least fifteen (15) days prior to the *Source Testing*.
3. The *Company* shall submit a report (hard copy and electronic format) on the *Source Testing* to the *Manager*, the *District Manager* and the *Director* not later than three (3) months after completing the *Source Testing*. The report shall be in the format described in the *Source Testing Code*, and shall also include, but not be limited to:
 - a. an executive summary;
 - b. an identification of the applicable North American Industry Classification System code (NAICS) for the *Facility*;
 - c. records of operating conditions at the time of *Source Testing*, including but not limited to the following:
 - i. production data;
 - ii. *Facility* /process information related to the operation of the VRS system;
 - iii. description of the emission sources controlled by the VRS system sources at the time of testing;
 - iv. control equipment/stacks operating parameters at the time of *Source Testing* and recommended operating parameters range;
 - d. results of *Source Testing*, including the emission rate, emission concentration, and relevant emission factors of the tested contaminants from the VRS system; and
 - e. a tabular comparison of *Source Testing* results to original emission estimates described in the

Company's application and the *ESDM Report*.

4. The *Director* may not accept the results of the *Source Testing* if:
 - a. the *Source Testing Code* or the requirements of the *Manager* were not followed;
 - b. the *Company* did not notify the *Manager*, the *District Manager* and *Director* of the *Source Testing*; or
 - c. the *Company* failed to provide a complete report on the *Source Testing*.
5. If the *Director* does not accept the results of the *Source Testing*, the *Director* may require re-testing. If re-testing is required, the *Pre-Test Plan* strategies need to be revised and submitted to the *Manager* for approval. The actions taken to minimize the possibility of the *Source Testing* results not being accepted by the *Director* must be noted in the revision.
6. If the *Source Testing* results are higher than the emission estimates in the *Company's* *ESDM Report*, the *Company* shall update their *ESDM Report* in accordance with Section 26 of *O. Reg. 419/05* with the results from the *Source Testing* report and make these records available for review by staff of the *Ministry* upon request. The updated Emission Summary Table from the updated *ESDM Report* shall be submitted with the report on the *Source Testing*.

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 three (3) months after the full implementation of the *Noise Control Measures*.
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. 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 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 requirement considered necessary to limit the adverse effect resulting from the operation of the *Facility*.
5. Condition No. 5 is included to require the *Company* to provide accurate information to assist the *Ministry* with the review of the site's compliance.
6. 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.

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 6482-AF4SDA issued on December 16, 2016.

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*
Environmental Review Tribunal
655 Bay Street, Suite 1500
Toronto, Ontario
M5G 1E5

AND

The Environmental Commissioner
1075 Bay Street, Suite 605
Toronto, Ontario
M5S 2B1

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 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**

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, 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 June, 2019



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

JK/

c: District Manager, MECP Toronto - District
Melissa Annett, RWDI AIR Inc.