


ENVIRONMENTAL COMPLIANCE APPROVAL

 NUMBER 8154-88WPFR
 Issue Date: June 24, 2013

Black Creek Metal Inc.
 2991 Townline Rd
 Stevensville, Ontario
 L0S 1S0

Site Location: 2991 Townline Road
 Fort Erie Town, Regional Municipality of Niagara
 L0S 1S0

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:

- two (2) exhausts serving a paint booth measuring 4.9 metres wide x 3.0 metres high x 4.9 metres deep, each discharging to the atmosphere at a maximum volumetric flow rate of 3.78 cubic metres per second, through roof stacks, each having an exit diameter of 0.61 metre, each extending 3.7 metres above the roof and 6.7 metres above grade;
- two (2) portable smoke extractors, equipped with HEPA filters, serving plasma cutting operations, each discharging internally;
- one (1) general ventilation system serving welding and metal gouging operations; and
- abrasive blasting operations, at a maximum usage rate of 324 kilograms per 12 hour shift, performed in an enclosed building.

all in accordance with the Application for Approval (Air) submitted by Black Creek Metal Inc., dated February 08, 2010 and signed by Merle Beam, Vice President; and the supporting information, including the Emission Summary and Dispersion Modelling Report, submitted by Trow Associates Inc., dated February 25, 2010 and signed by Ronald Taylor, the Acoustic Assessment Report, submitted by Trow Associates Inc., dated February 2010 and signed by Bob Jowett and documents submitted by Shawn Alavi and Ronald Taylor of Trow Associates Inc., dated August 9, 2010, September 8, 2010 and September 24, 2010 and the document entitled "Fugitive Emissions Best Management Plan - Black Creek Metal Inc.", dated August 2010 and signed by Shawn Alavi and Ronald Taylor of Trow Associates Inc. and documents submitted July 25, 2011 by Ronald Taylor.

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, including "Fugitive Emissions Best Management Plan - Black Creek Metal Inc.", dated August 2010 and signed by Shawn Alavi and Ronald Taylor of Trow Associates Inc.
3. "Company" means Black Creek Metal Inc.
4. "District Manager" means the District Manager, Niagara District Office, West Central Region of the Ministry.
5. "EPA" means the Environmental Protection Act, R.S.O. 1990, c.E.19.

CONTENT COPY OF ORIGINAL

6. "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.
7. "Facility" means the entire operation located on the property where the Equipment is located.
8. "Manual" means a document or a set of documents that provide written instructions to staff of the Company.
9. "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.
10. "Publication NPC-232" means the Ministry Publication NPC-232, "Sound Level Limits for Stationary Sources in Class 3 Areas (Rural)", October, 1995 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

OPERATION AND MAINTENANCE

1. The Company shall ensure that the Equipment is properly operated and maintained at all times. The Company shall:
 - (1) prepare, not later than three (3) months after the date of this Certificate, and update, as necessary, a Manual outlining the operating procedures and a maintenance program for the Equipment, including:
 - (a) routine operating and maintenance procedures in accordance with good engineering practices and as recommended by the Equipment suppliers;
 - (b) emergency procedures;
 - (c) procedures for any record keeping activities relating to operation and maintenance of the Equipment;
 - (d) all appropriate measures to minimize noise and odorous emissions from all potential sources;
 - (e) the frequency of inspection and replacement of the filter material in the Equipment; and
 - (2) implement the recommendations of the Manual.

2. The Company shall ensure that the noise emissions from the Facility comply with the limits set out in Ministry Publication NPC-232.

FUGITIVE DUST CONTROL

3. 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 periodically review and update the Best Management Practices Plan, as requested by the District Manager.
5. The Company shall record, in a log book, each time a specific preventative and control measure described in the Best Management Practices Plan is implemented. The Company shall record, as a minimum:
 - (1) the date when each emission control measure is installed, including a description of the control measure;
 - (2) the date when each new preventative measure or operating procedure to minimize emissions is implemented, including a description of the preventative measure or operating procedure; and

(3) the date, time of commencement, and time of completion of each periodic activity conducted to minimize emissions, including a description of the preventative measure/procedure and the name of the individual performing the periodic activity.

RECORD RETENTION

6. 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 Certificate, and make these records available for review by staff of the Ministry upon request. The Company shall retain:

- (1) all records on the maintenance, repair and inspection of the Equipment; and
- (2) all records of any environmental complaints; including:
 - (a) a description, time and date of each incident to which the complaint relates;
 - (b) wind direction at the time 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.

NOTIFICATION OF COMPLAINTS

7. 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:

- (1) a description of the nature of the complaint; and
- (2) the time and date of the incident to which the complaint relates.

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

1. Condition Nos. 1, 3, and 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 Certificate.
2. Condition No. 2 is included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the Facility.
3. Condition Nos. 5 and 6 are 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 Certificate can be verified.
4. Condition No. 7 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.

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:

1. 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;
2. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The Notice should also include:

3. The name of the appellant;
4. The address of the appellant;
5. The environmental compliance approval number;
6. The date of the environmental compliance approval;
7. The name of the Director, and;
8. 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
2 St. Clair Avenue West, Floor 12A
Toronto, Ontario
M4V 1L5

*** 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) 314-4506 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 24th day of June, 2013

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

JM/
c: District Manager, MOE Niagara
Ronald Taylor, exp Services Inc.