


**CERTIFICATE OF APPROVAL**
**AIR**

NUMBER 4863-8EHP9J

Issue Date: February 28, 2011

2121865 Ontario Ltd.  
 1106 Walker Road  
 Windsor, Ontario  
 N8Y 2N7

Site Location: 1106 Walker Road  
 Windsor City, County of Essex, Ontario

*You have applied in accordance with Section 9 of the Environmental Protection Act for approval of:*

- one (1) paint spray booth for the application of solvent based coatings at a maximum rate of 0.25 litre per hour, equipped with 0.7 square metres of dry type paint arrestor filters, exhausting into the atmosphere at a volumetric flow rate of 1.4 cubic metres per second, through a stack, having an exit diameter of 0.36 metre, extending 1.14 metres above the roof and 6.11 metres above grade;

all in accordance with the Application for Approval (Air & Noise) dated June 17, 2010 and signed by Peter Sprague, (President), 2121865 Ontario Ltd., and all supporting information associated with the application including the Emission Summary and Dispersion Modelling Report prepared by The Dragun Corporation, dated June 17, 2010 and signed by Andrew Tymec and additional information provided by Andrew Tymec, dated February 9, 2011.

*For the purpose of this Certificate of Approval and the terms and conditions specified below, the following definitions apply:*

- (1) "Act" means the *Environmental Protection Act*;
- (2) "Area Supervisor" means the Area Supervisor, Windsor Area Office, Southwestern Region of the Ministry;
- (3) "Certificate" means this Certificate of Approval issued in accordance with the Act;
- (4) "District Manager" means the District Manager, Sarnia District Office, Southwestern Region of the Ministry;
- (5) "Equipment" means the paint spray booth described in the Owner's application, this Certificate and in the supporting documentation referred to herein, to the extent approved by this Certificate;
- (6) "Manual" means a document or a set of documents that provide written instructions to staff of the Owner;
- (7) "Ministry" means the Ontario Ministry of the Environment; and
- (8) "Owner" means 2121865 Ontario Ltd., and includes its successors and assignees.

*You are hereby notified that this approval is issued to you subject to the terms and conditions outlined below:*

**TERMS AND CONDITIONS**
**GENERAL**

1. Except as otherwise provided by these Conditions, the Owner shall design, build, install, operate and maintain the

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Equipment in accordance with the description given in this Certificate, application for approval of the Equipment and the submitted supporting documents and plans and specifications as listed in this Certificate.

2. Where there is a conflict between a provision of any submitted document referred to in this Certificate and the Conditions of this Certificate, the Conditions in this Certificate shall take precedence, and where there is a conflict between the listed submitted documents, the document bearing the most recent date shall prevail.

### **OPERATION AND MAINTENANCE**

3. The Owner shall ensure that the Equipment is properly operated and maintained at all times. The Owner 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) the frequency of inspection and replacement of the filter material in the Equipment;
- (e) procedures for recording and responding to environmental complaints; and
- (f) appropriate measures to minimize odorous emissions from all potential sources.

(2) implement the recommendations of the operating and maintenance Manual.

### **RECORD RETENTION**

4. The Owner 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 operation and maintenance activities required by this Certificate. These records as well as the Manual shall be made available to staff of the Ministry upon request. The Owner shall retain:

(1) all records on the maintenance, repair and inspection of the Equipment; and

(2) all records on the environmental complaints, including:

- (a) a description, time and date of each incident;
- (b) operating conditions (e.g. the product name(s) being sprayed, any upset conditions, etc.) at the time of the incident; and
- (c) a description of the measures taken to address the cause of the incident and to prevent a similar occurrence in the future.

### **NOTIFICATION OF COMPLAINTS**

5. The Owner shall notify the District Manager, in writing, of each environmental complaint and the measures taken to address the cause of the complaint within five (5) business days of the complaint.

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

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1. Condition Nos. 1 and 2 are imposed to ensure that the Equipment is built and operated in the manner in which it was described for review and upon which approval was granted. These conditions are also included to emphasize the precedence of Conditions in the Certificate and the practice that the Approval is based on the most current document, if several conflicting documents are submitted for review.
2. Condition No. 3 is included to emphasize that the Equipment must be maintained and operated according to a procedure that will result in compliance with the Act, the regulations and this Certificate.
3. Condition No. 4 is included to require the Owner to keep records and provide information to staff of the Ministry so that compliance with the Act, the regulations and this Certificate can be verified.
4. Condition No. 5 is included to require the Owner to notify staff of the Ministry so that compliance with the Act, the regulations and this Certificate can be verified.

*In accordance with Section 139 of the Environmental Protection Act, R.S.O. 1990, Chapter E-19, as amended, you may by written Notice served upon me, the Environmental Review Tribunal and in accordance with Section 47 of the Environmental Bill of Rights, S.O. 1993, Chapter 28, 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 approval or each term or condition in the 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 Certificate of Approval number;
6. The date of the Certificate of Approval;
7. The name of the Director;
8. The municipality within which the works are located;

*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, 15th Floor  
Toronto, Ontario  
M5G 1E5

AND

The Environmental Commissioner  
1075 Bay Street, 6th Floor  
Suite 605  
Toronto, Ontario  
M5S 2B1

AND

The Director  
Section 9, *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) 314-4600, Fax: (416) 314-4506 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, 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.ene.gov.on.ca](http://www.ene.gov.on.ca), you can determine when the leave to appeal period ends.*

*The above noted works are approved under Section 9 of the Environmental Protection Act.*

DATED AT TORONTO this 28th day of February, 2011

Sherif Hegazy, P.Eng.  
Director  
Section 9, *Environmental Protection Act*

TT/  
c: District Manager, MOE Sarnia District Office  
Area Supervisor, MOE Windsor Area Office  
Andrew Tymec, The Dragun Corporation