



Ministry  
of the  
Environment

Ministère  
de  
l'Environnement

AMENDED CERTIFICATE OF APPROVAL  
AIR  
NUMBER 5616-6K2HQ8  
Issue Date: December 31, 2005

Luzenac Inc.  
PO Box 1245 Stn Main  
Timmins, Ontario  
P4N 7J5

Site Location: Timmins Micronizing Plant  
Lot 11, Concession 2  
Timmins City, District of Cochrane  
P4N 7J5

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

A talc micronizing facility operating at a maximum production rate of 105,120 tonnes per year, consisting of the following processes and support units:

- storage silos;
- jet mills;
- vertical hammer mill;
- pug mixers;
- pellet mills;
- dryer; and
- packaging process

and the Equipment listed in Schedule "A", exhausting to the atmosphere as described in the table included in Schedule "A";

- One (1) duct silencer for the exhaust outlet of Baghouse # 9 , capable of providing the following values of Insertion-Loss in 1/1 octave frequency bands as per the Acoustic Report entitled “ *Final Report, Acoustic Assessment of Luzenac Inc. Facility, Water Tower Road, Timmins* ” prepared by *Water and Earth Science Associated Ltd*, dated November 2005:

Centre Frequency (Hertz)	63	125	250	500	1,000	2,000	4,000	8,000
Insertion-Loss (decibel)	37	34	27	25	29	28	24	27

- One (1) duct silencer for each of the six (6) tanker aerators exhaust outlets, capable of providing the following values of Insertion-Loss in 1/1 octave frequency bands as per the Acoustic Report entitled “ *Final Report, Acoustic Assessment of Luzenac Inc. Facility, Water Tower Road, Timmins* ” prepared by *Water and Earth Science Associated Ltd*, dated November 2005:

Centre Frequency (Hertz)	63	125	250	500	1,000	2,000	4,000	8,000
Insertion-Loss (decibel)	9	19	26	30	40	46	41	34

- The interior surfaces of the discharge plenums of propeller fans # 10, # 18 and baghouse DF1-1 (Fan # 6), are to be lined with 50 mm thick mineral wool as per Sections 7.2 and 7.3 of the Acoustic Report entitled “ *Final Report, Acoustic Assessment of Luzenac Inc. Facility, Water Tower Road, Timmins* ” prepared by *Water and Earth Science Associated Ltd*, dated November 2005.

- Acoustic lagging for the items identified in Section 7.4.3 of the Acoustic Report entitled “ *Final Report, Acoustic Assessment of Luzenac Inc. Facility, Water Tower Road, Timmins* ” prepared by *Water and Earth Science Associated Ltd*, dated November 2005;

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all in accordance with the Application for a Certificate of Approval (Air) signed by Pierre Primeau, dated July 30, 2001, and all supporting information and the Emission Summary and Dispersion Modelling Report signed by Pierre Primeau, dated November 5, 2001 and all supporting information; and the Application for a Certificate of Approval (Air) signed by David Hall, dated March 31, 2005.

*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) "Certificate" means this Certificate of Approval, issued in accordance with Section 9 of the Act, including the attached Schedule "A";
- (3) "Company" means Luzenac Inc.;
- (4) "Equipment" means the baghouse dust collectors and natural gas fired equipment, described in the Company's application, this Certificate and in the supporting documentation referred to herein, to the extent approved by this Certificate;
- (5) "Facility" means the entire operation located on the property where the Equipment is located;
- (6) "Manual" means a document or a set of documents that provide written instructions to staff of the Company;
- (7) "Ministry" means the Ontario Ministry of the Environment; and
- (8) "Acoustic Assessment Report" means a report, prepared in accordance with Publication NPC-233, that documents sources of noise emissions, ( locations, dimensions , elevations, duty cycle, sound levels, etc.), and Noise Control Measures and demonstrates compliance with the Performance Limits for the Facility regarding noise emissions;
- (9) "Acoustic Audit" means an investigative procedure consisting of measurements of all noise emissions due to the operation of the Facility, assessed in comparison to 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;
- (10) "Acoustic Audit Report" means a report presenting the results of an Acoustic Audit, prepared in accordance with Publication NPC-233;
- (11) "Publication NPC-205" means Publication NPC-205, Sound Level Limits for Stationary Sources in Class 1 & 2 Areas (Urban), October, 1995;
- (12) "Publication NPC-233" means Publication NPC-233, Information To Be Submitted For Approval Of Stationary Sources Of Sound, October, 1995;
- (13) "Publication NPC-103" means Publication NPC-103, Procedures , August 1978;
- (14) "Independent Acoustical Consultant" means an Acoustical Consultant not representing the Company, and not involved in the noise impact assessment or the design/implementation of noise control measures for the Facility/Equipment.

The Independent Acoustical Consultant shall not be retained by the consultant involved in the noise/vibration impact assessment or the design/implementation of noise/vibration control measures for the Facility/Equipment.

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

### TERMS AND CONDITIONS

#### 1. OPERATION AND MAINTENANCE

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1.1 The *Company* shall prepare and implement, not later than three (3) months from the date of this *Certificate*, operating procedures and maintenance programs for all *Equipment*. The *Company* shall ensure that all *Equipment* are operated and maintained at all times in accordance with this *Certificate*, the operating procedures and maintenance programs. The operating procedures and maintenance programs shall specify as a minimum:

- (a) frequency of inspections and scheduled preventative maintenance;
- (b) procedures to prevent upset conditions;
- (c) procedures to minimize all fugitive emissions;
- (d) procedures to prevent and/or minimize odorous emissions; and
- (e) procedures for record keeping activities relating to the operation and maintenance programs.

### 2. COMPLAINTS RECORDING PROCEDURE

2.1 If at any time, the *Company* receives any environmental complaints from the public regarding the operation of the *Equipment* approved by this *Certificate*, the *Company* shall respond to these complaints according to the following procedure:

- (a) the *Company* shall record and number each complaint, either electronically or in a log book, and shall include the following information: the time and date of the complaint and incident to which the complaint relates, the nature of the complaint, wind direction at the time and date of the incident to which the complaint relates and the address of the complainant, if known;
- (b) the *Company*, upon notification of a complaint, shall initiate appropriate steps to determine all possible causes of the complaint, and shall proceed to take the necessary actions to appropriately deal with the cause of the subject matter of the complaint; and
- (c) the *Company* shall complete and retain on-site a report written within one (1) week of the complaint date, listing the actions taken to appropriately deal with the cause of the subject matter of the complaint and any recommendations for remedial measures, and managerial or operational changes to reasonably avoid the recurrence of similar incidents.

### 3. NOISE

3.1 (a) The Ministry will accept the current noise emissions from the Facility until six (6) months after the date noted on this *Certificate*, provided the Ministry does not receive noise complaints from area residents pertinent to activities at the Facility. In the event of complaints the Ministry may impose conditions to the operation of the Facility and/or require the Facility to take immediate action to alleviate the adverse noise emissions from activities at the Facility.

(b) Subsequent to six (6) months after the date noted on certificate, the *Company* shall ensure that the noise emissions from the Facility comply with the limits set in Publication NPC-205.

3.2 The *Company* shall carry out acoustic audit measurements on the actual noise emissions due to the operation of the Facility, in accordance with the procedures in Publication NPC-103.

3.3 The *Company* shall submit a report on the results of the acoustic audit, prepared by an independent acoustic consultant, in accordance with Publication NPC-233, to the District Manager and the Director not later than three (3) months after the date on his *Certificate*.

3.4 The Director may not accept the results of the acoustic audit if the requirements of Publication NPC-233 were not followed.

3.5 If the Director does not accept the results of the acoustic audit the Director may :

- (a) require the *Company* to repeat the acoustic audit, and/or
- (b) revoke this certificate, or

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(c) in accordance with the Act, impose additional conditions to the Company's Certificate of Approval.

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

1. Condition No. 1 is included to require the *Company* to properly operate and maintain the *Equipment* to minimize the impact to the environment from these processes.
2. Condition No. 2 is included to require the *Company* to respond to any environmental complaints regarding the operation of the *Equipment*, according to a procedure that includes methods for preventing recurrence of similar incidents and a requirement to prepare and retain a written report.
3. Condition No.3.1 (a) states the interim, parameters for which the excess above the governing noise limits will be accepted. In the event of noise complaints the Ministry may impose restrictions to the use of specific equipment/activities at the Facility, and may require an amendment to this certificate of approval to address these restrictions.
4. Condition No.3.1 (b) is included to provide the minimum performance requirement considered necessary to limit the adverse effect resulting from the operation of the Facility.
5. Conditions Nos. 3.2 and 3.3 are included to require the Company to gather accurate information so that the environmental impact and subsequent compliance with the Act, the regulations and this Certificate can be verified.
6. Conditions Nos. 3.4 and 3.5 are included to ensure that the acoustic audit is carried out in accordance with procedures set in the Ministry's Noise Guidelines.

**SCHEDULE "A"**

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Source Identifier	Description	Source Data					Heat Input Kiljoules per hour
		Stack Gas Flow Rate	Stack Diameter	Stack Gas Exit Temperature	Stack Height Above Grade	Stack Height Above Roof	
		m <sup>3</sup> /s	m	°C	m	m	
1	Duron Micropul Dust Collector BF1	6.606	1.00	200	23.5	14	
2	Duron Micropul Dust Collector BF2	7.126	0.61	190	23.5	14.0	
3	Duron Micropul Dust Collector BF4 with BF6	10.21	0.61	80	22.6	13.1	
4	Duron Micropul Dust Collector (BF5)	0.726	0.70	70	11.0	1.5	
5	Duron Micropul Dust Collector (DF1)	7.08	0.6	70	11.0	1.5	
6	Duron Micropul Dust Collector (BF6)	Included within the data for BF4.					
7	Duron Micropul Dust Collector (BF7)	3.775	0.8	85	7.0	-3.0	
8	Duron Micropul Dust Collector (BF8)	5.192	1.4	200	21.6	12.1	
9	Duron Micropul Dust Collector (BF9)	7.08	0.762	90	21.6	12.1	
10	Ceiling Roof Exhaust PM1 Fan	7.08	0.914	60	11.0	1.5	
11	Wall Exhaust PM1 Ruj Mixer Fan	7.08	0.914	60	7.0	-3.0	
12	Wall Boiler Room Fan	7.08	0.914	60	7.0	-3.0	
13	Gas Fired Comfort Heater (Front Dock)	3.33	0.127	373	3.9	-6.1	2,126,000
14	Gas Fired IKOO Comfort Heater (Compressor Room)	3.33	0.127	373	-6.1	3.9	Included with Source 13
15	Gas Fired Comfort Heater	3.33	0.127	373	-6.1	3.9	Included with Source 13
16	Gas Fired Comfort Heater (Packaging Exit)	3.33	0.127	373	3.9	-6.1	Included with Source 13
17	Boiler No 1 Exhaust	1.89	0.6	400	12.6	3.2	19,835,060
18	Super Heater No 1 Exhaust	1.42	0.6	300	12.6	3.2	19,835,060
19	Boiler No 2 Exhaust	1.89	0.6	400	12.6	3.2	19,835,060
20	Super Heater No 2 Exhaust	1.42	0.6	300	12.6	3.2	19,835,060
21	Dry Gas Fired Furnace	3.33	0.127	100	9.33	0.06	Included with Source 13
22	Laboratory Gas Fired Furnace	3.33	0.127	100	10.54	1.27	Included with Source 13
27	PT-9 Enclosure Vent	1.42	0.45	70	11.8	2.18	
28	Gas Fired Comfort Heater (Packaging Area)	3.33	0.127	100	13.29	3.67	Included with Source 13
29	Roof Exhaust Wessmott Dyer	7.08	1.37	70	13.3	3.68	
30	Wall Exhaust Old Packaging Area	7.08	0.6	70	4.2	-5.42	
31	MCC Ventilation Fan	1.46	0.6	40	2.7	-6.92	
32	Lab Ventilation Fan	1.15	0.3	20	9.0	-0.3	
33	Gas Fired Lemaux Comfort Heater (Compressor Room)	3.33	0.127	100	3.9	-6.1	Included with Source 13

**This Certificate of Approval revokes and replaces Certificate(s) of Approval No. 9343-54RPWG issued on December 5, 2001**

*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;

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*And the Notice should be signed and dated by the appellant.*

*This Notice must be served upon:*

The Secretary\*  
Environmental Review Tribunal  
2300 Yonge St., 12th Floor  
P.O. Box 2382  
Toronto, Ontario  
M4P 1E4

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 Environment and Energy  
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 31st day of December, 2005

Victor Low, P.Eng.  
Director  
Section 9, *Environmental Protection Act*

FC/  
c: District Manager, MOE Timmins  
David Vodusek, Luzenac Inc.