

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 9038-BAWTAM

Issue Date: April 30, 2019

1260261 Ontario Inc.
Post Office Box, No. 507
Chapleau, Ontario
P0M 1K0

Site Location: 101 Highway 129
Chappise Township, Chapleau

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) atomizing type oil heater, firing waste-derived fuel at a maximum rate of 12.5 litres per hour, discharging the products of combustion into the air through a dedicated stack having exit diameter of 0.25 metre, extending 2.0 metres above the roof and 8.7 metres above grade;
- one (1) atomizing type oil heater, firing waste-derived fuel at a maximum rate of 12.5 litres per hour, discharging the products of combustion into the air through a dedicated stack having exit diameter of 0.25 metre, extending 3.0 metres above the roof and 10.0 metres above grade;
- five (5) waste-derived fuel storage tanks, each having a maximum waste-derived fuel storage capacity of 4,500 litres;
- one (1) waste-derived fuel storage tank, having a maximum waste-derived fuel storage capacity of 1,360 litres; and
- six (6) exhausts serving welding operations using a maximum of 0.0624 kilograms of welding wire/rods per hour;

all in accordance with the Environmental Compliance Approval Application submitted by 1260261 Ontario Inc., dated September 12, 2018 and signed by Ray Duhaime, General Manager; the supporting information, including the Emission Summary and Dispersion Modelling Report, submitted by Pinchin Ltd., dated September 6, 2018 and signed by Spencer Ludwig; and emails dated March 22, 2019, March 26, 2019 and April 5, 2019 from Spencer Ludwig of Pinchin Ltd.

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. "*ASTM*" means American Society for Testing and Materials;
3. "*Batch*" means a quantity of WDF contained in a *WDF Supply/Bulk Tank* at the time the *WDF Supply/Bulk Tank* is sampled and a *Seal* is applied to the *WDF Supply/Bulk Tank*;
4. "*Company*" means 1260261 Ontario Inc., that is responsible for the construction or operation of the *Facility* and includes any successors and assigns;
5. "*District Manager*" means the District Manager of the appropriate local district office of the *Ministry*, where the *Facility* is geographically located;
6. "*EPA*" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;
7. "*Equipment*" means the two (2) atomizing type oil heaters and five (5) WDF storage tanks as described in the *Company's* application, this *Approval* and in the supporting documentation submitted with the application;
8. "*Facility*" means the entire operation located on the property where the *Equipment* is located;
9. "*Manual*" means a document or a set of documents that provide written instructions to staff of the *Company*;
10. "*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;
11. "*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;
12. "*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;
13. "*O. Regulation 347*" means Ontario Regulation 347 R.R.O. 1990;
14. "*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;
15. "*Seal*" means a physical device, having a unique identifier, applied to a *WDF Supply/Bulk Tank* and/or associated valves, which once applied must be removed in order to allow for the addition of material to a *WDF Supply/Bulk Tank*, and furthermore must be broken to be removed;
16. "*WDF*" means waste-derived fuel as defined in *O. Regulation 347*;
17. "*WDF Bulk Storage Tank*" means any of the *WDF* storage tanks and associated

valves, when operated as a bulk reservoir for *WDF* generated on-site only;

18. "*WDF Supply Tank*" means any of the *WDF* storage tanks and associated valves, containing *WDF* only, that has been sampled and equipped with a *Seal*, when it is operated as the sole supply of *WDF* to the *Equipment*; and
19. "*WDF Supply/Bulk Tank*" means any of the *WDF Supply Tanks* or *WDF Bulk Storage Tanks*;

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. Performance Requirements

1. The *Company* shall, at all times, ensure that the noise emissions from the *Facility* comply with the limits set out in *Ministry Publication NPC-300*.

2. Operation and Maintenance

1. The *Company* shall not burn the contents of any *WDF Supply/Bulk Tank* that has not been sampled, analysed and demonstrated to meet the *WDF* criteria as defined in *O. Regulation 347*, in accordance with Conditions 3.2 to 3.5 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 *Equipment* 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 *Equipment* shall comply with the conditions of this *Approval*.
4. The *Company* shall ensure that the *Equipment* is properly installed, 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;

- iii. procedures for any record keeping activities relating to the operation and maintenance of the *Equipment*;
 - iv. procedures to comply with all Terms and Conditions included as part of this *Approval*;
 - v. all appropriate measures to minimize emissions from all potential sources;
- b. implement the provisions 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*.

3. **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 Supply/Bulk Tanks* only. The *WDF Supply/Bulk Tank* receiving *WDF* at any time shall be labelled as "*WDF Bulk Storage Tank*".
2. The *Company* shall analyse a representative sample of the *Batch* of *WDF* stored in the *WDF Bulk Storage Tank* that represents the composition of the contents of the *WDF Bulk Storage Tank*. The sample shall be taken in accordance with the *Ministry* publications, "Industrial Waste Sampling Procedures Manual", 1989, as amended, and the "Guide to the Collection and submission of Samples for Laboratory Analysis", 1989, as amended. 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 different vertical locations (bottom, middle and top).
3. The *Company* shall apply a *Seal* to the *WDF Bulk Storage 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 Storage 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 *O. Regulation 347*.

5. The *Company* shall demonstrate that the representative sample meets the requirements of *WDF* as required by *O. Regulation 347*, prior to directing *WDF* to the *Equipment*. The *WDF Bulk Storage Tank* equipped with a *Seal*, containing the *Batch* of *WDF* which has been demonstrated to meet the criteria of *WDF* as required by *O. Regulation 347* shall be operated and labelled as "*WDF Supply Tank*".
6. The *Company* shall direct additional volume of *WDF* to the *WDF Bulk Storage Tanks* only. Breaking of a *Seal* applied to the *WDF Supply Tank*, constitutes a new *Batch* of *WDF*. The *Company* shall repeat Conditions 3.1 through 3.5 upon breaking a *Seal*.
7. The *Company* shall operate the *Equipment* with the designated *WDF Supply Tank* as the sole source of *WDF* to the *Equipment*.
8. The *Company* shall locate the *WDF Bulk Storage Tanks* and the *WDF Supply Tanks* in the designated storage areas as described in the *Company's* application and the supporting documentation.
9. The *Company* shall ensure that all *WDF* be stored in accordance with *Ministry* publication "Guidelines for Environmental Protection Measures at Chemical and Waste Storage Facilities", 2007, as amended. *WDF* shall be segregated from other incompatible wastes and materials.

4. Waste Disposal

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

5. 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 Storage Tank* for the *Batch* of waste materials which did not meet *WDF* criteria as required by *O. Regulation 347*.
2. The *Company* shall monitor and record in writing the following information related to the samples of *WDF* taken from any of the *WDF Bulk Storage Tanks* pursuant to the sampling and analysis requirements set out in Conditions 3.2 to 3.5 of this *Approval*:
 - a. volume of the *WDF Bulk Storage Tank*;
 - b. date the representative sample is taken and the date submitted for laboratory analysis;
 - c. date and unique identifier of the *Seal* applied to the *WDF Bulk Storage*

- 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 *WDFs* required by *O. Regulation 347*; and
 - e. the quantity of *WDF* burned between each date of sampling and/or maintenance, repair or inspection of the *Equipment*.
3. The *Company* shall monitor and record in writing the quantity of *WDF* burned in the *Equipment* by:
- a. connecting an elapsed-time meter on the *Equipment* circuit that will indicate the total time that the *Equipment* is in operation and by multiplying the elapsed time by the design average fuel consumption rate for the *Equipment*; or
 - b. connecting a volumetric flow meter on the *Equipment* circuit that will indicate the volume of *WDF* burned in the *Equipment*; or
 - c. 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. details on the maintenance, repair and inspection of the *Equipment*;
 - b. details on any environmental complaints; including:
 - i. a description, time and date of each incident;
 - ii. wind direction at the time of the incident; and
 - iii. a description of the measures taken to address the cause of the incident and to prevent a similar occurrence in the future.

6. 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.

7. 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.

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

1. Condition No. 1 is included to outline the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the *Equipment*.
2. Condition Nos. 2 and 3 are included to emphasize that the *Equipment* must be installed, maintained, and operated according to a procedure that will result in compliance with the *EPA*, the regulations and this *Approval*.
3. Condition No. 4 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 human health and safety, or the environment.
4. Condition Nos. 5 and 6 are included to require the *Company* to retain records and provide information to the *Ministry* so that the environmental impact and subsequent compliance with the *EPA*, the regulations, and this *Approval* can be verified.
5. Condition No. 7 is included to require the *Company* to notify the *Ministry* so that the environmental impact and subsequent compliance with the *EPA*, the regulations, and this *Approval* can be verified.

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, the Minister of the Environment, Conservation and Parks, within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Minister of the Environment, Conservation and Parks 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.

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 Minister of the Environment,
Conservation and Parks
777 Bay Street, 5th Floor
Toronto, Ontario
M7A 2J3

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 30th day of April,
2019

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

BR/
c: Area Manager, MECP Sault Ste. Marie
c: District Manager, MECP Sudbury
Spencer Ludwig, Pinchin Ltd.