


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

NUMBER 4826-7Q9RU6

Issue Date: August 20, 2009

BR Fulton Construction Ltd.  
 731 Pinnacle Road  
 Renfrew, Ontario  
 K7V 3Z6

Site Location: 731 Pinnacle Road  
 Renfrew Town, County of Renfrew  
 K7V 3Z6

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

one (1) concrete batching plant, having a maximum concrete production capacity of 216 tonnes per hour, and consisting of the following emission sources:

- one (1) enclosed cement bin having a storage capacity of 25 tonnes, with emissions controlled by three (3) fabric filters, each discharging passively to the atmosphere through a 1.37 metres by 0.30 metre opening, extending 5.0 metres above grade;
- one (1) aggregate bin, uncontrolled and open to the top, having a storage capacity of 10 tonnes;
- one (1) sand bin, uncontrolled and open to the top, having a storage capacity of 10 tonnes;
- one (1) diesel fired generator rated at 165 kilowatts; and
- fugitive emissions resulting from the delivery, storage, and transfer of materials associated with concrete batching operations;

all in accordance with the Application for Approval (Air & Noise) submitted by BR Fulton Construction Ltd., dated August 31, 2007 and signed by Robert Fulton, President; and the supporting information, including the Emission Summary and Dispersion Modelling Report, submitted by Jacques Whitford Limited, dated September 8, 2007, and signed by Kristine Tracey; the additional information submitted on July 10, 2009, and July 17, 2009 by Deborah Hunt, Atmospheric Environmental Group, Stantec; the Acoustic Assessment Report, submitted by Jacques Whitford Limited, dated July 13, 2009, prepared by Deborah Hunt, and signed by Benjamin Coulson, and the additional information submitted on July 31, 2009, and August 5, 2009 by Deborah Hunt and Miroslav Ubovic, Atmospheric Environmental Group, Stantec.

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

1. "Certificate" means this Certificate of Approval, issued in accordance with Section 9 of the EPA.
2. "Company" means BR Fulton Construction Ltd.
3. "Director" means any Ministry employee appointed by the Minister pursuant to Section 5 of the EPA.
4. "District Manager" means the District Manager of the appropriate local district office of the Ministry, where the Facility is geographically located.

5. "EPA" means the Environmental Protection Act.
6. "Equipment" means the equipment and processes described in the Company's application, this Certificate and in the supporting documentation referred to herein, to the extent approved by this Certificate.
7. "Facility" means the entire operation on the property where the Equipment is located.
8. "Manual" means a document or a set of documents that provides written instructions to staff of the Company.
9. "Ministry" means the Ontario Ministry of the Environment.
10. "Noise Control Measures" means measures to reduce the noise emissions from the Facility and/or Equipment including, but not limited to, silencers, acoustic louvres, enclosures, absorptive treatment, plenums and barriers.
11. "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 approval is issued to you subject to the terms and conditions outlined below:*

## **TERMS AND CONDITIONS**

### **OPERATION AND MAINTENANCE**

#### **Noise Emissions**

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-232.
2. The Company shall incorporate the Noise Control Measures detailed in Schedule A of this Certificate.
3. The Company shall restrict the operation of the Facility to the period between 7:00AM – 7:00PM.
4. The Company shall restrict the operation of the truck mixing to a maximum of one truck at a time and a maximum of thirty (30) minutes per hour.
5. The Company shall restrict the operation of the front-end loader to a maximum of one loader at a time and a maximum of thirty (30) minutes per hour.
6. The Company shall restrict the operation of the bulk cement powder truck to a maximum of one truck at a time with a maximum sound pressure level of 82 dBA at 9.1 metres.

#### **Operation and Maintenance Manual**

7. The Company shall ensure that the Facility 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 emissions from all potential sources;

- (e) the frequency of inspection of, and replacement of the filter material in the Equipment;
- (f) procedures for recording and responding to environmental complaints relating to the operation of the Facility; and

(2) implement the recommendations of the Manual.

### **Fugitive Dust Control**

8. The Company shall provide effective dust suppression to the Equipment and any other sources of fugitive dust emissions from the Facility.

### **RECORD RETENTION**

9. 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;
- (2) all records of any upset conditions associated with the operation of the Equipment;
- (3) all records on the environmental complaints, including:
  - (a) a description, time, date and location of each incident;
  - (b) operating conditions (e.g. upset conditions, etc.) at the time of the incident;
  - (c) wind direction and other weather conditions at the time of the incident;
  - (d) the name(s) of Company personnel responsible for handling the incident;
  - (e) the cause of the incident;
  - (f) the Company response to the incident; and
  - (g) a description of the measures taken to address the cause of the incident and to prevent a similar occurrence in the future, and the outcome of the measures taken.

### **NOTIFICATION REQUIREMENTS**

#### **Notification of Complaints**

10. 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;
- (2) the time, date and location of the incident;
- (3) the wind direction and other weather conditions at the time of the incident; and
- (4) the name(s) of Company personnel responsible for handling the incident.

#### **SCHEDULE "A"**

#### **Noise Control Measures**

1. A C-shaped acoustic enclosure shall be installed to surround the diesel generator, with the opening facing away from any critical Point of Reception. This barrier shall have dimensions of 4.5 metres length, 2.5 metres height, and 3.0 metres width.

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2. The acoustic enclosure shall be free of gaps, cracks or other penetrations and have a minimum surface density of 20 kilograms per square metre.

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

1. Condition Nos. 1, 2, 3, 4, 5, and 6 are included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the Facility.
2. Condition Nos. 7 and 8 are included to emphasize that the Facility must be maintained and operated according to a procedure that will result in compliance with the EPA, the regulations and this Certificate.
3. Condition No. 9 is included to require the Company to keep records and to provide information to the Ministry so that compliance with the EPA, the regulations and this Certificate can be verified.
4. Condition No. 10 is included to require the Company to notify/report to the Ministry so that compliance with the EPA, 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.*

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

DATED AT TORONTO this 20th day of August, 2009

Ian Greason, P.Eng.  
Director

SG/  
c: District Manager, MOE Ottawa  
Deborah Hunt, Stantec (formerly Jacques Whitford Limited)