



Ministry
of the
Environment

Ministère
de
l'Environnement

CERTIFICATE OF APPROVAL
AIR
NUMBER 1603-5ZLJQS

Cedarhurst Quarries & Crushing Limited
P.O. Box 250
3300 King Vaughan Town Line
King City, Ontario
L7B 1B2

Site Location: Bark Lake Quarry (Irondale)
Lot 2, 3, 4 & 5, Concession 7
Fmr. Township of Glamorgan
Highlands East Municipality, County of Haliburton, Ontario

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

- one (1) aggregate processing unit to crush stone operating at a maximum production rate of 300 tonnes per hour, including the following equipment:

- primary jaw crusher complete with an integrated diesel engine rated at 142 kilowatts,
- surge bin,
- secondary cone crusher,
- screening plant,
- conveyors,
- diesel generator set rated up to 976 kilowatts, and
- other related equipment,

all in accordance with the Application for a Certificate of Approval (Air) dated May 4, 2004 and signed by Robert E Graham, and all supporting information associated with the application, including the revised Emission Summary and Dispersion Modelling Report prepared by Steven J. Challoner on behalf of Cedarhurst Quarries & Crushing Limited, dated June 28, 2004, and the acoustic study prepared by Higgott Quiet Technologies on behalf of Cedarhurst Quarries & Crushing Limited, dated June 29, 2004.

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) "Best Management Practices Plan" means a document or a set of documents which describe measures to minimize dust emissions from the Facility and/or Equipment;
- (3) "Certificate" means this Certificate of Approval, issued in accordance with Section 9 of the Act;
- (4) "Company" means Cedarhurst Quarries & Crushing Limited;
- (5) "Director" means any Ministry employee appointed by the Minister pursuant to Section 5 of the Act;
- (6) "District Manager" means the District Manager, Peterborough District Office, Eastern Region of the Ministry;
- (7) "Equipment" means the aggregate processing unit as described in the Company's application, this Certificate and in the supporting documentation referred to herein, to the extent approved by this Certificate;
- (8) "Facility" means the entire operation located on the property where the Equipment is located;

(9) "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;

(10) "Manual" means a document or a set of documents that provide written instructions to staff of the Company;

(11) "Ministry" means the Ontario Ministry of the Environment;

(12) "Publication NPC-103" means Publication NPC-103, Procedures, August 1978;

(13) "Publication NPC-232" means Publication NPC-232, Sound Level Limits for Stationary Sources in Class 3 Areas (Rural), October, 1995; and

(14) "Publication NPC-233" means Publication NPC-233, Information To Be Submitted For Approval Of Stationary Sources Of Sound, October, 1995.

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

TERMS AND CONDITIONS

PERFORMANCE

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

OPERATION AND MAINTENANCE

2. The Company shall restrict the use of the Facility to the daytime period between 8:00 AM and 6:00 PM.

3. 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; and

(d) all appropriate measures to minimize noise emissions from all potential sources; and

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

FUGITIVE DUST CONTROL

4. The Company shall prepare, not later than three (3) months after the date of this Certificate, and implement a 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. This Best Management Practices Plan shall include, but not be limited to:

(1) identification of the main sources of fugitive dust emissions such as:

(a) on-site traffic;

(b) paved roads/areas;

- (c) unpaved roads/areas;
- (d) material stock piles;
- (e) loading/unloading areas and loading/unloading techniques;
- (f) material spills;
- (g) material conveyance systems; and
- (h) general work areas;

(2) potential causes for high dust emissions and opacity resulting from these sources;

(3) preventative and control measures in place to minimize the likelihood of high dust emissions and opacity from the sources of fugitive dust emissions identified above. Details of the preventative and control measures shall include:

- (a) a description of the control equipment;
- (b) a description of the preventative procedures to be implemented; and/or
- (c) the frequency of occurrence of periodic preventative activities, including material application rates, as applicable;

(4) training of Facility personnel; and

(5) inspection and maintenance procedures and monitoring initiatives to ensure effective implementation of the preventative and control measures.

DOCUMENTATION REQUIREMENTS

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 new preventative measure or operating procedure to minimize emissions is implemented, including a description of the preventative measure or operating procedure; and
- (2) 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;
- (2) the log book which contains all records on the preventative and control measures implemented for each source of fugitive dust emission identified in the Best Management Practices Plan;
- (3) all records on the environmental complaints, including:
 - (a) a description, time, date and location of each incident;
 - (b) wind direction and other weather conditions at the time of the incident;
 - (c) the name(s) of Company personnel responsible for handling the incident;
 - (d) the cause of the incident;
 - (e) the Company response to the incident; and

(f) 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 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;
- (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.

ACOUSTIC AUDIT

8. 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.

9. 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 this certificate.

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

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

- (1) require the Company to repeat the acoustic audit, and/or
- (2) revoke this Certificate, or
- (3) 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 provide minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the Facility.

2. Condition No. 2 is included to ensure that the proposed Facility, is not extended beyond the stated hours. Operation outside these hours, when ambient sound levels are significantly lower, may result in non-compliance with the established sound level limits.

If the acoustic audit indicates that Condition No. 2 is not required, then this Condition can be removed, once an application for an amendment is submitted to the Director.

3. Condition No. 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 Act, the regulations and this Certificate.

4. 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 Act, the Regulations and this Certificate can be verified.

5. Condition No. 7 is included to require the Company to notify staff of the Ministry so that compliance with the Act, the regulations and this Certificate can be verified.

CONTENT COPY OF ORIGINAL

6. Conditions Nos. 8 and 9 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.

7. Conditions Nos. 10 and 11 are included to ensure that the acoustic audit is carried out in accordance with procedures set in the Ministry's Noise Guidelines.

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
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**

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, 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 23rd day of July, 2004

Neil Parrish, P.Eng.
Director
Section 9, *Environmental Protection Act*

CL/
c: District Manager, MOE Peterborough

Dennis C. Simmons