

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 1187-BQY5M4

Issue Date: July 21, 2020

Blair Asphalt Products Ltd.  
7 Labrosse Street  
Post Office Box, No. 220  
Moose Creek, Ontario  
K0C 1W0

**Site Location:** 1272 Farley Road

North Stormont Township, United Counties of Stormont Dundas and Glengarry  
Ontario

*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:*

**Hot Mix Asphalt Plant**

one (1) permanent hot-mix asphalt plant, equipped with a batch mixer, having a maximum production rate of 1,380 tonnes per day, and 65,000 tonnes per year, consisting of the following equipment and emission sources:

- one (1) hot mix asphalt dryer/mixer, equipped with a fuel oil fired burner, having a maximum heat input of 74.3 million kilojoules per hour, with particulate emissions controlled by one (1) baghouse dust collector system, having a total of 188.2 square metres of Meta-Aramid filter bags, and a pulse jet cleaning mechanism, discharging into the air at a volumetric flow rate of 5.13 actual cubic metres per second at an approximate temperature of 135 degrees Celsius, through a stack, having an exit diameter of 0.67 metre, extending 8.53 metres above grade;
- two (2) liquid asphalt cement storage tanks, with electric heater;
- one (1) fuel oil storage tank having a capacity of 50 cubic metres;
- fugitive emissions resulting from the delivery, storage, and transfer of raw materials associated with hot mix asphalt operations.

all in accordance with the application for an Environmental Compliance Approval (Air & Noise) submitted by Blair Asphalt Products Ltd., dated July 30, 2019, and signed by Jon Blair, Manager - Finance; Emission Summary and Dispersion Modeling Report prepared by BluMetric Environmental Inc., dated July 30, 2019; revised Emission Summary and Dispersion Modeling Tables prepared by BluMetric Environmental Inc., dated March 04, 2020; Acoustic Assessment Report prepared by Freefield Ltd., dated June 8, 2020 and signed by Michael Wells and Hugh Williamson; and all the

information associated with the application.

*For the purpose of this environmental compliance approval, the following definitions apply:*

1. "*Acoustic Assessment Report*" means the report, prepared in accordance with *Publication NPC-233*, by Michael Wells and Hugh Williamson of Freefield Ltd. and dated June 8, 2020 submitted in support of the application, that documents all sources of noise emissions and *Noise Control Measures* present at the *Facility*.
2. "*Approval*" means this Environmental Compliance Approval, including the application and supporting documentation listed above.
3. "*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*.
4. "*Company*" means Blair Asphalt Products Ltd. that is responsible for the construction or operation of the *Facility* and includes any successors and assigns in accordance with section 19 of the *EPA*.
5. "*Director*" means a person appointed by the Minister pursuant to section 5 of the *EPA*.
6. "*District Manager*" means the District Manager of the appropriate local district office of the *Ministry*, where the *Facility* is geographically located.
7. "*EPA*" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended.
8. "*Equipment*" means the equipment and processes described in the *Company's* application, this *Approval* and in the supporting documentation referred to herein, to the extent approved by this *Approval*.
9. "*Facility*" means the entire operation located on the property where the *Equipment* is located.
10. "*Manual*" means a document or a set of documents that provides written instructions to staff of the *Company*.
11. "*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.
12. "*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, described in the *Company's* application, and in the supporting documentation referred to herein, including the *Acoustic Assessment Report*, to the extent approved by this

*Approval.*

13. "*Plant*" means the hot mix asphalt plant described in the *Company's* application, this *Approval* and in the supporting documentation referred to herein, to the extent approved by this *Approval*.
14. "*Publication NPC-233*" means the Ministry Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October, 1995 as amended.
15. "*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.

*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. Operation and Maintenance Manual**

1. The *Company* shall ensure that the *Equipment* is properly 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; including spill clean-up procedures;
    - iii. procedures for any record keeping activities relating to operation and maintenance of the *Equipment*;
    - iv. the frequency of inspection and replacement of the filter material in the *Equipment*;
    - v. all appropriate measures to minimize dust and odorous emissions from all potential sources; and
    - vi. procedures for recording and responding to environmental complaints relating to operation of the *Facility*;
  - b. implement the recommendations of the *Manual*;

- c. prepare and implement procedures to monitor and keep records of the temperatures of the asphalt as it leaves the mixing process; and
- d. ensure that the liquid asphalt cement storage tanks and hot mix asphalt storage silos do not operate above the maximum operating temperatures.

## 2. Fugitive Dust Control

1. The *Company* shall prepare, not later than three (3) months after the date of this *Approval*, and update, as necessary, a *Best Management Practices Plan* for the control of fugitive dust emissions. This *Best Management Practices Plan* shall include, but not be limited to:
  - a. identification of the main sources of fugitive dust emissions such as:
    - i. on-site traffic;
    - ii. paved roads/areas;
    - iii. unpaved roads/areas;
    - iv. material stock piles;
    - v. loading/unloading areas and loading/unloading techniques;
    - vi. material spills;
    - vii. material conveyance systems;
    - viii. exposed openings in process and storage buildings; and
    - ix. general work areas.
  - b. potential causes for high dust emissions and opacity resulting from these sources;
  - c. preventative and control measures in place or under development 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:
    - i. a description of the control equipment to be installed;
    - ii. a description of the preventative procedures to be implemented; and/or
    - iii. the frequency of occurrence of periodic preventative activities, including material application rates, as applicable.
  - d. an implementation schedule for the *Best Management Practices Plan*, including training of *Facility* personnel;
  - e. inspection and maintenance procedures and monitoring initiatives to

ensure effective implementation of the preventative and control measures; and

- f. a list of all *Ministry* comments received, if any, on the development of the *Best Management Practices Plan*, and a description of how each *Ministry* comment was addressed in the *Best Management Practices Plan*.

2. The *Company* shall implement the *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*.

### 3. Documentation Requirements

1. 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:
  - a. the date when each emission control measure is installed, including a description of the control measure;
  - b. 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
  - c. 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.

### 4. 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 recording activities required by this *Approval*, and make these records available for review by staff of the *Ministry* upon request. The *Company* shall retain:
  - a. all records on the maintenance, repair and inspection of the *Equipment*;
  - b. 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*;
  - c. all records on the environmental complaints; including:
    - i. a description, time, date and location of each incident;
    - ii. wind direction and other weather conditions at the time of the

- incident;
- iii. the name(s) of *Company* personnel responsible for handling the incident;
- iv. the cause of the incident;
- v. the *Company* response to the incident; and
- vi. 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.

## **5. Notice 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, date and location of the incident;
  - c. the wind direction and other weather conditions at the time of the incident; and
  - d. the name(s) of *Company* personnel responsible for handling the incident.

## **6. Noise Performance**

1. The *Company* shall:
  - a. at all times, ensure that the noise emissions from the *Facility* comply with the limits set out in *Ministry Publication NPC-300*;
  - b. restrict truck enter and exit the quarry associated with loading and shipping to a maximum of 20 truck per 60 minute period during daytime, evening and nighttime;
  - c. restrict truck enter and exit the quarry associated with loading and shipping to a maximum of 5 truck per 60 minute period during evening and nighttime between 7:00 PM to 7:00 AM when operating concurrently with the *Plant*;
  - d. restrict truck enter and exit the *Plant* associated with delivery and shipping to a maximum of 7 truck per 60 minute period; and
  - e. restrict operation of the crushing and screening equipment to the period between 7:00 AM to 7:00 PM.

## **7. Noise Control Measures**

1. The *Company* shall:
  - a. fully implement the *Noise Control Measures* specified in the *Acoustic Assessment Report* prior to operation of the *Equipment*; and
  - b. ensure that the *Noise Control Measures* are properly maintained and continue to provide the acoustical performance outlined in the *Acoustic Assessment Report*.

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

1. Conditions No. 1 and 2 are included to emphasize that the *Equipment* must be maintained and operated according to a procedure that will result in compliance with the *EPA*, the Regulations and this *Approval*.
2. Conditions No. 3 and 4 are included to require the *Company* to keep records and to provide information to staff of the *Ministry* so that compliance with the *EPA*, the Regulations and this *Approval* can be verified.
3. Condition No. 5 is included to require the *Company* to notify staff of the *Ministry* so that compliance with the *EPA*, the Regulations and this *Approval* can be verified.
4. Condition No. 6 is included to provide the minimum performance requirement considered necessary to prevent an adverse effect resulting from the operation of the *Facility*.
5. Condition No. 7 is included to require the *Company* to implement a *Noise Control Measures* designed to ensure that the noise emissions from the *Facility* will be in compliance with applicable limits set in the *Ministry's* noise guidelines.

*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*		The Minister of the Environment,		The Director appointed for the purposes of
Environmental Review Tribunal		Conservation and Parks		Part II.1 of the Environmental Protection Act
655 Bay Street, Suite 1500	AND	777 Bay Street, 5th Floor	AND	Ministry of the Environment, Conservation
Toronto, Ontario		Toronto, Ontario		and Parks
M5G 1E5		M7A 2J3		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](http://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 <https://ero.ontario.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 21st day of July,  
2020

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

JL/  
c: Area Manager, MECP Cornwall Area Office  
c: District Manager, MECP Ottawa District Office  
Jessica Petrocco, BluMetric Environmental Inc.