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Ministry of the Environment, Conservation and Parks  
Ministère de l'Environnement, de la Protection de la nature et des Parcs

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 7217-CB7UVM

Issue Date: February 15, 2022

Elexicon Corporation  
55 Taunton Rd E  
Ajax, Ontario  
L1T 3V3

**Site Location:** 131 St. Paul Street  
Belleville City, County of Hastings  
L1T 3V3

*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) digester gas conditioning system including a dehumidification process (gas cooling and condensation drying), desulphurization step and siloxanes removal using an activated carbon filter to condition the digester gas before directing it to the combined heat and power cogeneration unit described below; and
- one (1) digester gas/natural gas dual fired combined heat and power cogeneration unit, having a maximum power rating of 370 kilowatts of electrical output, equipped with a selective catalytic reduction system, discharging to the air at a maximum volumetric flow rate of 1.2 actual cubic metres per second, through a stack having an exit diameter of 0.2 metre, extending 4.3 metres above roof and 7.0 metres above grade;

all in accordance with the Application for Environmental Compliance Approval submitted by Elexicon Corporation dated February 5, 2021 and signed by Lucy Lombardi, Chief Financial Officer, Vice President, Regulatory Affairs and all supporting information prepared by Ortech Consulting Inc.

*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. "Combined Heat and Power Cogeneration Unit" means the combined heat and power cogeneration unit rated at 370 kilowatts and equipped with a selective

catalytic reduction system, described in the Company's application, this Approval and in the supporting documentation submitted with the application, to the extent approved by this Approval;

3. "Company" means Elexicon Corporation 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;
4. "Director" means a person appointed by the Minister pursuant to section 5 of the EPA;
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;
7. "Equipment" means the equipment described in the Company's application, this Approval and in the supporting documentation submitted with the application, to the extent approved by this Approval;
8. "ESDM Report" means the Emission Summary and Dispersion Modelling Report prepared in accordance with section 26 of O. Reg. 419/05 and the Procedure Document by Scott Manser, P.Eng./Ortech Consulting Inc. and dated December 14, 2020 submitted in support of the application including any addendum submissions made during the Ministry's review of the Company's application;
9. "Facility" means the entire operation located on the property where the Equipment is located;
10. "Manager" means the Manager, Technology Standards Section, Technical Assessment and Standards Development Branch, or any other person who represents and carries out the duties of the Manager, Technology Standards Section, Technical Assessment and Standards Development Branch, as those duties relate to the conditions of this Approval;
11. "Manual" means a document or a set of documents that provide written instructions to staff of the Company;
12. "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;
13. "O. Reg. 419/05" means Ontario Regulation 419/05, Air Pollution – Local Air Quality, as amended;
14. "Pre-Test Plan" means a plan for the Source Testing including the information required in Section 5 of the Source Testing Code;
15. "Procedure Document" means Ministry guidance document titled "Procedure for Preparing an Emission Summary and Dispersion Modelling Report" dated February 2017, as amended;

16. "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;
17. "Source Testing" means sampling and testing to measure emissions resulting from operating the Targeted Source under conditions which yield the worst case emissions within the approved operating range of the Targeted Source which satisfies paragraph 1 of subsection 11(1) of O. Reg. 419/05;
18. "Source Testing Code" means the Ontario Source Testing Code, dated June 2010, prepared by the Ministry, as amended;
19. "Targeted Source" means the Combined Heat and Power Cogeneration Unit, described in the Company's application, this Approval and in the supporting documentation submitted with the application, to the extent approved by this Approval; and
20. "Test Contaminant" means Nitrogen Oxides (expressed as nitrogen dioxide equivalent).

*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 ensure that the Combined Heat and Power Cogeneration Unit is designed and operated to comply, at all times during normal operating conditions, and not during start-up, with the following performance requirements:
  - a. The emission of nitrogen oxides in the gases emitted from the stack of the Combined Heat and Power Cogeneration Unit shall not be greater than the emission limit specified in Schedule "A" of this Approval.

### **2. OPERATION AND MAINTENANCE**

1. The Company shall ensure that the Equipment is properly operated and maintained at all times. The Company shall:
  - a. prepare, before commencement of operation of the Equipment, 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 operation and maintenance of the Equipment; and
- iv. all appropriate measures to minimize noise and odorous emissions from all potential sources;

b. implement the recommendations of the Manual.

### **3. SOURCE TESTING**

1. The Company shall perform Source Testing to determine the rate of emission of the Test Contaminant from the Targeted Source, in accordance with the procedures in Schedule "B" of this Approval.

### **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; and
  - b. all records of any environmental complaints, including:
    - i. a description, time and date of each incident to which the complaint relates;
    - ii. wind direction at the time of the incident to which the complaint relates; and
    - iii. a description of the measures taken to address the cause of the incident to which the complaint relates and to prevent a similar occurrence in the future.

### **5. 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; and
  - b. the time and date of the incident to which the complaint relates.

## 6. NOISE

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.

## SCHEDULE "A"

### Emission Limits

Contaminant	Maximum Limit
Nitrogen Oxides	0.4 kilograms per Megawatt-hour

## SCHEDULE "B"

### Source Testing Procedures

1. The Company shall submit, not later than three (3) months prior to the Source Testing, to the Manager a Pre-Test Plan for the Source Testing of the Targeted Source. The Company shall finalize the Pre-Test Plan in consultation with the Manager.
2. The Company shall not commence the Source Testing required under this Approval until the Manager has approved the Pre-Test Plan.
3. The Company shall complete the Source Testing not later than three (3) months after the Manager has approved the Pre-Test Plan, or three (3) months after commencement of operation of the Equipment, whichever occurs later, or within a period directed or agreed to in writing by the Manager and the District Manager.
4. The Company shall notify the Manager, the District Manager and the Director in writing of the location, date and time of any impending Source Testing required by this Approval, at least fifteen (15) days prior to the Source Testing.
5. The Company shall submit a report (hardcopy and electronic format) on the Source Testing to the Manager, the District Manager and the Director not later than three (3) months after completing the Source Testing. The report shall be in the format described in the Source Testing Code, and shall also include, but not be limited to:
  - a. an executive summary;
  - b. an identification of the applicable North American Industry Classification System code (NAICS) for the Facility;
  - c. records of operating conditions at the time of Source Testing, including but not limited to the following:
    - i. production data;

- ii. Facility/process information related to the operation of the Targeted Source;
  - iii. description of the emission sources controlled by the Targeted Source at the time of testing; and
  - iv. operational description at the time of testing;
- d. results of Source Testing, including the emission rate, emission concentration, and relevant emission factor of the Test Contaminant from the Targeted Source; and
  - e. a tabular comparison of Source Testing results for the Targeted Source and Test Contaminant to original emission estimates described in the Company's application and the ESDM Report.
6. The Director may not accept the results of the Source Testing if:
- a. the Source Testing Code or the requirements of the Manager were not followed;
  - b. the Company did not notify the Manager, the District Manager and Director of the Source Testing; or
  - c. the Company failed to provide a complete report on the Source Testing.
7. If the Director does not accept the results of the Source Testing, the Director may require re-testing. If re-testing is required, the Pre-Test Plan strategies need to be revised and submitted to the Manager for approval. The actions taken to minimize the possibility of the Source Testing results not being accepted by the Director must be noted in the revised Pre-Test Plan submission to the Manager.
8. If the Source Testing results indicate the emission estimates are higher than the original emission estimates described in the Company's application and the ESDM Report, the Company shall update their ESDM Report in accordance with Section 26 of O. Reg. 419/05 with the emission estimates from the Source Testing report and make these records available for review by staff of the Ministry upon request. The updated Emission Summary Table from the updated ESDM Report shall be submitted with the report on the Source Testing.

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

- 1. Conditions Nos. 1 and 6 are included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the Facility/Equipment.
- 2. Condition No. 2 is 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.

3. Condition No. 3 is included to require the Company to gather and retain accurate information so that compliance with the EPA, the Regulations and this Approval can be verified.
4. Condition No. 4 is 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.
5. Condition No. 5 is included to require the Company to notify staff of the Ministry so as to assist the Ministry with the review of the site's compliance.

In accordance with Section 139 of the *Environmental Protection Act*, you may by written notice served upon me, the Ontario Land 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 ("the Notice") 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:

Registrar\*  
Ontario Land Tribunal  
655 Bay Street, Suite 1500  
Toronto, Ontario  
M5G 1E5  
OLT.Registrar@ontario.ca

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

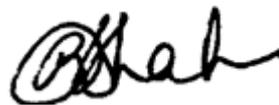
and The Director appointed for the purposes of  
Part II.1 of the *Environmental Protection Act*  
Ministry of the Environment, Conservation  
and Parks  
135 St. Clair Avenue West, 1st Floor  
Toronto, Ontario  
M4V 1P5

\* Further information on the Ontario Land Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349 or 1 (866) 448-2248, or [www.olt.gov.on.ca](http://www.olt.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 15th day of February,  
2022



Bijal Shah, P.Eng.

Director

appointed for the purposes of Part  
II.1 of the *Environmental  
Protection Act*

RA/

c: Area Manager, MECP Belleville

c: District Manager, MECP Kingston - District  
Scott Manser, ORTECH Consulting