

Final Report

D-6 - Land Use Compatibility Study

5809, 5821 and 5829 McLeod Road, Niagara, Ontario

Document Control Page

CLIENT:	Pathmanathan Rajasingham
PROJECT NAME:	5809, 5821 and 5829 McLeod Road, Niagara, Ontario
REPORT TITLE:	Land Use Compatibility Assessment
ARCADIS IBI REFERENCE:	142301
VERSION:	3.0
DIGITAL MASTER:	https://ibigroup.sharepoint.com/sites/Projects3/142301/Internal Documents/6.0_Technical/6.25_Environmental/03_Reports/Report/Revision 1/142301_McLeod_Revised 1.docx
ORIGINATOR:	Aron Zhao, P. Eng.
REVIEWER:	Steve Davies, P. Geo.
AUTHORIZATION:	Steve Davies, P. Geo.
CIRCULATION LIST:	
HISTORY:	1.0 – Final for Submission dated April 12, 2023 2.0 – Revised Site Plan dated April 20, 2023 3.0 – Region Comments dated August 30, 2023

Table of Contents

1	INTRODUCTION	1
1.1	Site Information.....	1
1.2	Summary of Zoning Information	2
2	AIR QUALITY CRITERIA IN ONTARIO	2
2.1	<i>Environmental Protection Act</i> , Ontario Regulation 419/05 and Environmental Bill of Rights	2
2.2	MECP D-1 and D-6 Guidelines.....	3
2.3	Industrial Air Contaminants.....	4
2.4	Nuisance Contaminants.....	4
3	SITE VISIT	5
4	LOCAL METEOROLOGY	5
4.1	Wind Speed, Wind Direction and Climate Data	5
5	BACKGROUND AIR QUALITY	9
6	SURROUNDING INDUSTRIAL FACILITIES	10
6.1	Class I – Light Industrial Uses	11
6.2	Class II – Medium Industrial Uses	11
6.3	Class III – Heavy Industrial Uses.....	11
6.3.1	Washington Mills Electro Minerals Corporation – 7780 Stanley Avenue, Niagara Falls.....	11
6.3.2	Salit Steel – 7771 Stanley Avenue, Niagara Falls	13
7	COMPLAINT HISTORY	14
8	CONCLUSION AND RECOMMENDATIONS	14
9	LIMITATIONS	14
10	REFERENCES	14

List of Appendices

Appendix A Plans and Drawings

Appendix B Site Photographs

Appendix C Existing Facility Inventory

Appendix D MECP ECAs and EASRs

Table of Contents (continued)

List of Exhibits

Exhibit 1	2018-2023 Windrose at Port Weller Monitoring Station	7
Exhibit 2	2018-2023 Seasonal Windroses at Port Weller Monitoring Station	8
Exhibit 3	Ontario Air Zone Map	9
Exhibit 4	Southern Ontario Air Zone Zoom	10
Exhibit 5	Washington Mills Electro Minerals Corporation	12
Exhibit 6	Salit Steel	13

List of Tables

Table 1	Area of Influence and Minimum Separation Distance for Industrial Land Uses ...	4
Table 2	Wind Direction Determination	6
Table 3	Wind Speed Classification	6
Table 4	Wind Direction Frequencies	8
Table 5	Ontario Air Zones	9
Table 6	Existing Facility Inventory	11
Table 7	Washington Mills Canada NPRI Reports Summary	12

List of Attached Figures

Figure 1	Site Location Plan
Figure 2	Zoning Map
Figure 3	Industrial Land Use Separation Map
Figure 4	Roadway Classification Map
Figure 5	Rail Classification Map

1 INTRODUCTION

Arcadis IBI Group (Arcadis Professional Services (Canada) Inc.) was retained by Pathmanathan Rajasingham (Client) to conduct a D-6 Land Use Compatibility Assessment in support of a planning application for the proposed development located at 5809, 5821 and 5829 McLeod Road, Niagara, Ontario (the 'Site') as shown on **Figure 1**. The Study Area comprises the Site and an approximately 1,000m buffer.

It is understood that the Client intends to develop the land as residential.

The purpose of the D-6 study was to review nearby land-uses following provincial guidelines to ensure the proposed development would not lead to fundamental land-use incompatibility or adverse effects on the environmental approvals or operations of neighbouring land-uses, as well as identifying neighbouring businesses and industries within close proximity of the Site with potential to cause an adverse impact at the site. This assessment reviewed if additional studies would be required based on potential compatibility issues.

This document specifically assesses compatibility of surrounding land-uses in terms of environmental air quality, noise, dust, and odour in the context of Guideline D-6.

Activities conducted during the assessment included:

- Review of the Ontario Ministry of Environment Conservation and Parks (MECP) Guideline D-1 Land Use Compatibility and Guideline D-6 Compatibility Between Industrial Facilities and Sensitive Land Uses. The D-1 to D-6 guidelines were released by MECP in 1995 and provide land use planning proposals with recommended separation distances and other control measures to prevent or minimize adverse effects from the encroachment of incompatible land uses where a facility either exists or is proposed.
- Consulted the Ontario Environmental Protection Act (EPA) and Ontario Regulation 419/05 (O. Reg. 419/05).
- Conducted a site visit of the subject property and surrounding area.
- Reviewed potential constraints of the proposed development, such as separation distances, and determining sensitivity to nearby receptors in terms of air quality and nuisance pollutants.
- Classified each existing and permitted industry under the D-6 guideline.
- Identified potential constraints to industry due to the proposed residential development.
- Determined if any further technical studies or modeling assessments would be required to better understand potential impacts.
- Provided an overall opinion on land-use compatibility between the proposed development and the surrounding land-uses.

1.1 Site Information

The Site is rectangular in shape and encompasses an area of approximately 0.30 hectares (ha). The client proposes to construct a townhouse development on Site.

A topographic survey showing the boundaries of the Site is provided in **Appendix A**.

Figure 1 illustrates the location of the Site and Study Area.

The subject site is immediately bounded by the following land uses.

- To the north, by residential
- To the east, by residential
- To the south, by commercial
- To the west, by residential

1.2 Summary of Zoning Information

The property is currently zoned as an R4 Zone and the proposed Zoning By-Law Amendment is for a change to an R5C Zone.

The property is bound on the north and west by lands also zoned Residential. Properties to the southwest are zoned Minor Commercial and properties to the southeast are zoned Tourist Commercial. A small patch of land northeast and southeast of the Site are zoned Environmental Conservation Area.

Further southeast of the Site, approximately 500m away, there are properties zoned as Industrial and Minor Commercial.

A Zoning Map within 1km radius of the Site, taken from the City of Niagara Falls, is included as **Figure 2**.

A Railroad Corridor is also present further southeast of the Site, outside of recommended minimum separation distances and noise influence areas.

2 AIR QUALITY CRITERIA IN ONTARIO

2.1 *Environmental Protection Act*, Ontario Regulation 419/05 and Environmental Bill of Rights

In Ontario, air emissions from industrial facilities are regulated under the *Environmental Protection Act* (EPA) and the air pollution regulation O.Reg.419/05. The overriding philosophy of the EPA and O.Reg.419/05 is to ensure that emissions from a facility do not cause an adverse effect, or cause harm to people, the environment, or the loss of enjoyment of normal use of property. For specific substances of concern, maximum concentrations at ground level are stated in the regulation. For these compounds, companies are required to demonstrate that the emitted contaminant concentrations will not exceed the specified regulated levels.

Ontario air pollution standards are based on the concentration of contaminants off property, referred to as the point of impingement (POI). It should be noted that the POI is defined as any point at or beyond the property boundary at which the highest concentration of a contaminant is expected as a result of the aggregate emissions of that contaminant originating from the facility.

The EPA stipulates that companies must obtain an Environmental Compliance Approval (ECA) (formerly known as a Certificate of Approval (C of A)), or an Air Emission Environmental Activity and Sector Registry (EASR), prior to the start of operations at the facility, introduction of a new process, or modification to an existing process that may discharge a contaminant into the natural environment.

At the stage of reviewing an application for an ECA, the MECP assesses the technical information and the predicted impact on local air quality. Specifically, the concentration of all contaminants emitted by the facility must be lower than the limits set out by O.Reg.419/05 at the POI. An ECA is issued to the facility when the MECP is assured that the contaminant emission concentrations from the facility at the POI are below the limits set out by O.Reg.419/05, and that no adverse environmental impacts are expected to result from the operation of the facility.

The Environmental Bill of Rights (EBR) was established in 1994 to provide a formal framework for notifying the public about proposed legislation, policies, regulations, and other legal instruments that could have a significant effect on the environment. In addition to providing public notification of proposed initiatives, it also provides a forum for public discussion on proposed changes being made to their communities. Any facility applying for an ECA has a description of their proposal posted on the EBR for a 45-day public comment period. The

government considers all public input before making the final decision as to whether to grant approval to the applicant.

It is the responsibility of facilities to demonstrate compliance with contaminant emission standards and ensure that they have an ECA or EASR prior to operating regulated equipment.

2.2 MECP D-1 and D-6 Guidelines

The MECP developed D-series guidelines (Guideline D-1 '*Land Use Compatibility*' and Guideline D-6 '*Compatibility Between Industrial Facilities and Sensitive Land Uses*') to provide recommended separation distances and other control measures for land use planning proposals to prevent or minimize adverse effects from the encroachment of incompatible land uses where a facility either exists or is proposed.

The D-6 Guideline provides recommended minimum separation distances between sensitive and industrial land uses with the objective of ensuring that residences will not be put in a position of being exposed to an 'adverse effect' from the industrial land use. The D-6 Guideline provides the potential influence area from the industrial land use, which is the area within which adverse effects may be experienced. The recommended minimum separation distance and potential area of influence are based on scale, outputs, process, and intensity of the industrial land use classification defined as follows:

- A **Class I Industrial Facility** is defined as a place of business for a small scale, self-contained plant or building which produces/stores a product which is contained in a package and has low probability of fugitive emissions. Outputs are infrequent and could be a point source or fugitive emissions of odour and/or dust. There are daytime operations only, with infrequent movement of products and/or heavy trucks, and no outside storage. Sound is not audible off the property. Typically, odour and dust emissions are infrequent and not intense.
- A **Class II Industrial Facility** is defined as a place of business for medium scale processing and manufacturing with outdoor storage of wastes or materials and result in periodic outputs of minor annoyance. There are occasional outputs of either point source or fugitive emissions of odour and/or dust. Shift operations are permitted and there is frequent movement of products and/or heavy trucks during daytime hours. Sound is occasionally audible off the property. Typically, odour and dust emissions are frequent and occasionally intense.
- A **Class III Industrial Facility** is a place of business for large scale manufacturing or processing, characterized by large physical size, outside storage of raw and finished products, large production volumes, and continuous movement of products and employees during daily shift operations. It has frequent outputs of major annoyance and there is a high probability of point source and fugitive emissions of odour and/or dust. Typically, odour and dust emissions are persistent and intense.

In the absence of site-specific studies, under the Guidelines, the onus is on the encroaching land use proponent (i.e., in this case the proposed residential development) to undertake sufficient studies to demonstrate they meet the requirements of the Guidelines. Since airborne contaminants are governed by O.Reg.419/05, the use of D-6 Guidelines in air quality assessments typically focus on nuisance contaminants, consisting of odour, fugitive dust and noise.

Emissions from a facility are described as being either point source or fugitive emissions. Point source emissions are those emissions that have been collected and discharged through a device such as an exhaust stack. Fugitive emissions are defined as emissions that are not collected but escape uncontrolled from a facility through openings such as doors, windows, and cracks in walls.

The recommended minimum separation distances and the potential area of influence for the three (3) industry classifications are summarized in **Table 1**.

Table 1 Area of Influence and Minimum Separation Distance for Industrial Land Uses

INDUSTRIAL LAND USE CLASSIFICATION	RECOMMENDED MINIMUM SEPARATION DISTANCE (M)	POTENTIAL AREA OF INFLUENCE (M)
Class I – Small-scale Industrial	20	70
Class II – Medium-scale Industrial	70	300
Class III – Large-scale Industrial	300	1,000

It is important to note that the separation distances identified in D-6 are ‘recommended’ to help municipal planners in their decision-making processes and that there are potential pitfalls in the literal application of D-6. For example, it is not always easy to fit businesses into only one (1) of the three (3) classifications. Some smaller Class I facilities can have one (1) of the characteristics of a larger Class III industry. Some larger Class III facilities potentially have less impact than Class II facilities. There has been a tendency to classify based on the highest category for any one (1) characteristic rather than on an overall judgment.

Separation distances alone do not eliminate potential environmental impacts or provide assurances that mitigation will not be required.

An Industrial Land Use Separation Map is included as **Figure 3**.

2.3 Industrial Air Contaminants

The overriding philosophy of the EPA is to ensure that emissions from a facility do not cause an adverse effect, or cause harm to people, the environment, or the loss of enjoyment of normal use of property. The EPA prohibits facilities from discharging a contaminant to the natural environment without first obtaining an ECA or Air Emission EASR. A facility operating in accordance with an ECA or Air Emission EASR has demonstrated that the concentrations of air contaminants emitted from the facility are less than the applicable POI limit(s) governed by O.Reg.419/05 at the property line and beyond and thus are not deemed to be of significant concern.

2.4 Nuisance Contaminants

Since air emissions of specific substances from a facility are required to meet the applicable standards and guidelines at the property line and beyond, the application of the D-6 Guideline is typically limited to nuisance substances (i.e., odour and dust).

Odour and dust are nuisance substances with the potential to cause an ‘adverse effect’ through the loss of enjoyment of property. There is no regulatory standard for odour levels. There are regulatory standards for dust (i.e., particulate matter).

Class II and III industries are known to be potential sources of odour and/or dust. It is recommended under D-6, that a 70m separation distance exist between Class II industries and a residential development, and a 300m separation distance exist between Class III industries and a residential development. It is important to note, however, that the separation distances are a guideline only and it is possible to minimize adverse odour and dust impacts using good engineering practices.

3 SITE VISIT

Arcadis IBI Group conducted a site visit at the proposed development site on April 4, 2023, from 12:40 p.m. to 13:40 p.m. The site visit included a visual survey of the proposed development site and surrounding area.

During the site visit, no train noises were observed during the 1-hour period during daytime hours. No aircraft noise was observed. No observable or noticeable dust or odours were noted during the visit.

A minor level of routine traffic noise was occasionally noted as a result of McLeod Road to the south of the Site.

Minor noise from construction activities to the southeast of the site were detected at the Site. A residential community appeared to be under construction at this location.

A rail corridor is located approximately 530m south and east of the site. Neither dust nor noise was observed on Site because of the rail corridor.

A Road and Rail Classification Map is included as **Figure 4** and **Figure 5**, respectively.

Commercial/Industrial properties at 7527, 7771, and 7780 Stanley Avenue were also viewed during the Site visit. L. Walter and Sons Excavating Ltd. was identified at 7527 Stanley Avenue. The property appeared to be used primarily for storage of heavy equipment including trucks, excavators, backhoes, and equipment parts. Some gravel and soil storage were also observed on this property. Salit Steel was observed at 7771 Stanley Avenue. The property appeared to be a large warehouse which was used primarily for metal storage, with occasional truck traffic for pick up and deliver materials. Washington Mills was observed at 7780 Stanley Avenue. This property appeared to be fully operational with several storage silos, vent stacks, possible dust collectors, and a propane gas tank. Noise and dust from these facilities were minor in the vicinity of these facilities at the time of the Site visit and could not be detected on Site.

A Photolog of observations made during the site visit is provided in **Appendix B**.

4 LOCAL METEOROLOGY

4.1 Wind Speed, Wind Direction and Climate Data

Local weather patterns can affect the magnitude of air quality impacts, if any, caused by point and fugitive sources. Wind speed, wind direction, precipitation and humidity are amongst the parameters that can influence local air quality and the dispersion of potential pollutants. The presence of natural barriers caused by topographic or manmade features can also affect fate and transport of would-be pollutants.

No significant terrain features are present in the vicinity of the Site and manmade structures are primarily limited to one (1) to two (2)-storey residential houses and slab-on-grade commercial buildings. The most recent available hourly climate data set from February 2018 to January 2023 was taken from the Port Weller meteorological station, maintained by Environment Canada, and used to generate a wind rose representative of hourly wind variation in the Study Area. The Port Weller meteorological station is located approximately 15km north of the Site.

A wind rose is divided into 16 quarter-winds representing subdivided cardinal directions and shows the frequency of winds blowing from particular directions over a specified period. The length of each rose spoke is related to the frequency that the wind blows from a particular direction as a percentage of the total wind input at the Site, emanating outward from the centre of the rose. Each spoke is further divided into wind rose petals, which are color-coded bands indicating the density of wind speed inputs.

The wind rose spokes were generated by characterizing the climate data into one (1) of 16 direction categories, based on the direction degrees data. **Table 2** below identifies the upper and lower angle degree boundaries that were used to classify wind direction.

Table 2 Wind Direction Determination

WIND DIRECTION	LOWER BOUNDARY (°)	UPPER BOUNDARY (°)
North (N)	348.75	11.25
North-Northeast (NNE)	11.25	33.75
Northeast (NE)	33.75	56.25
East-Northeast (ENE)	56.25	78.75
East (E)	78.75	101.25
East-Southeast (ESE)	101.25	123.75
Southeast (SE)	123.75	146.25
South-Southeast (SSE)	146.25	168.75
South (S)	168.75	191.25
South-Southwest (SSW)	191.25	213.75
Southwest (SW)	213.75	236.25
West-Southwest (WSW)	236.25	258.75
West (W)	258.75	281.25
West-Northwest (WNW)	281.25	303.75
Northwest (NW)	303.75	326.25
North-Northwest (NNW)	326.25	348.75

The data was then further subdivided within these 16 directions based on the windspeed data to generate the petals of each rose spoke. The windspeed categories are detailed in **Table 3** below.

Table 3 Wind Speed Classification

WIND SPEED RANGE (KM/HR)
0 km/hr to 5 km/hr
5 km/hr to 10 km/hr
10 km/hr to 15 km/hr
15 km/hr to 20 km/hr
20 km/hr to 25 km/hr
> 25 km/hr

The data has also been subdivided to show seasonal variations in wind data, with monthly climate data separated into the following seasonal categories:

- Spring (March – May)
- Summer (June – August)
- Autumn (September – November)
- Winter (December – February)

The resulting wind roses are presented on **Exhibit 1** and **Exhibit 2** below. It is based on 43,825 recorded hours at the Port Weller monitoring station from 2018 to 2023. The results show minimal seasonal variation and a predominantly westward wind direction. Property use upwind in this direction of the Site consists of a commercial golf course and driving range.

Exhibit 1 2018-2023 Windrose at Port Weller Monitoring Station

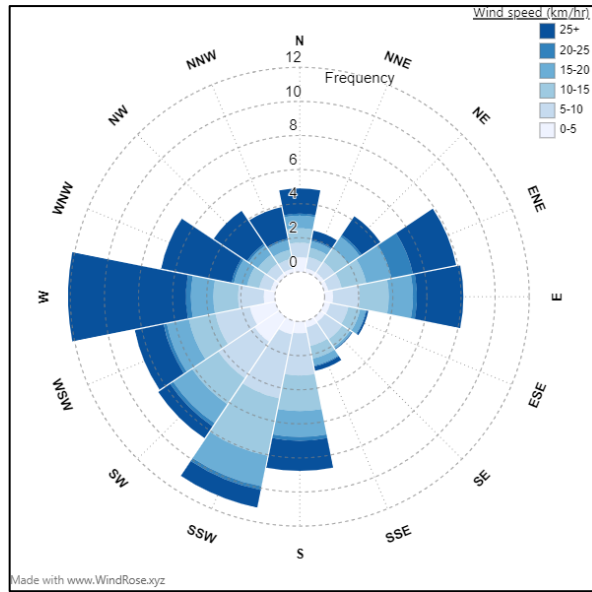
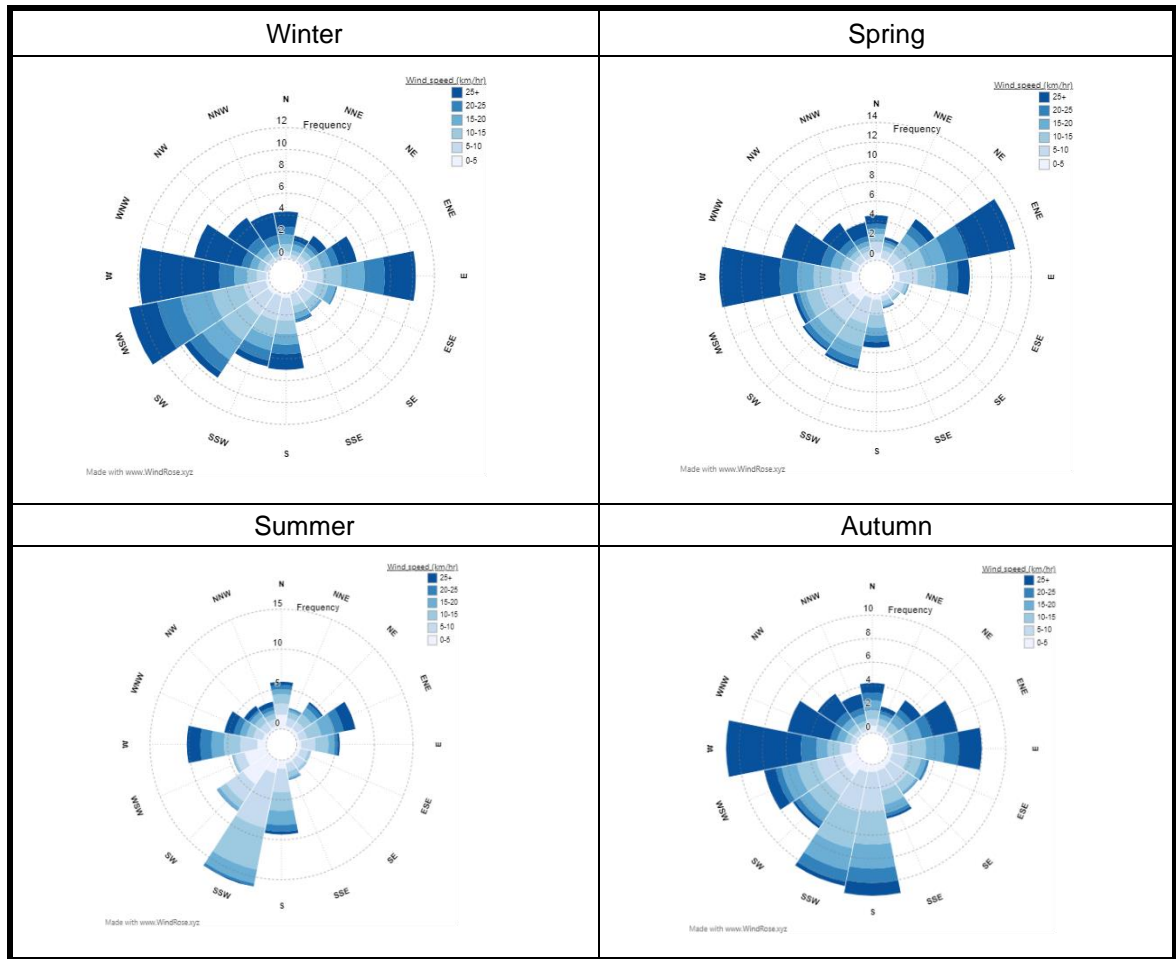


Exhibit 2 2018-2023 Seasonal Windroses at Port Weller Monitoring Station



A summary of wind frequency directions is provided in **Table 4**, below.

Table 4 Wind Direction Frequencies

WIND DIRECTION	% OF TOTAL HOURS
North (N)	4.9%
North-Northeast (NNE)	2.5%
Northeast (NE)	4.2%
East-Northeast (ENE)	8.0%
East (E)	8.1%
East-Southeast (ESE)	2.8%
Southeast (SE)	2.4%
South-Southeast (SSE)	3.1%
South (S)	8.5%
South-Southwest (SSW)	10.8%
Southwest (SW)	8.5%
West-Southwest (WSW)	8.6%
West (W)	12.1%
West-Northwest (WNW)	6.8%
Northwest (NW)	4.6%
North-Northwest (NNW)	3.9%

5 BACKGROUND AIR QUALITY

Background ambient air quality conditions represent a baseline for local air quality. Ontario is divided into three (3) air zones, generally accepted to represent three (3) different levels of ambient air quality: good, fair, and poor as described in **Table 5**. Local variations can be expected, but air quality can be considered consistent within these air zones.

Pollutants routinely monitored for ambient air quality include total suspended particles (TSP), carbon monoxide (CO), nitrogen oxides (NO_x), volatile organic compounds (VOCs), sulphur dioxide (SO₂), and coarse and fine particulate matter (PM₁₀ and PM_{2.5}).

Table 5 Ontario Air Zones

AIR ZONE	DEFINITION	GEOGRAPHY
1	Areas with limited pollution from either point or non-point sources or transboundary influence; where the air quality management activities are focused on maintaining good air quality	Majority of Northern Ontario
2	Areas under pressure from multiple sources, including some or all of the following: non-point sources, smaller point sources, individual large industrial point sources and transboundary influences; where air quality management activities are focused on multiple broad-based initiative targeting many sources	Majority of Southern Ontario, Sault. Ste. Marie and the City of Greater Sudbury
3	Areas with a concentration of large industrial sources; where air quality management activities are focused on the abatement of local industrial emissions as well as non-industrial sources	City of Hamilton, City of Sarnia and the Township of St. Clair

The Site and Study Area lie within Zone 2 and the air zone maps showing fair background air quality are included on **Exhibit 3** and **Exhibit 4**, below.

Exhibit 3 Ontario Air Zone Map

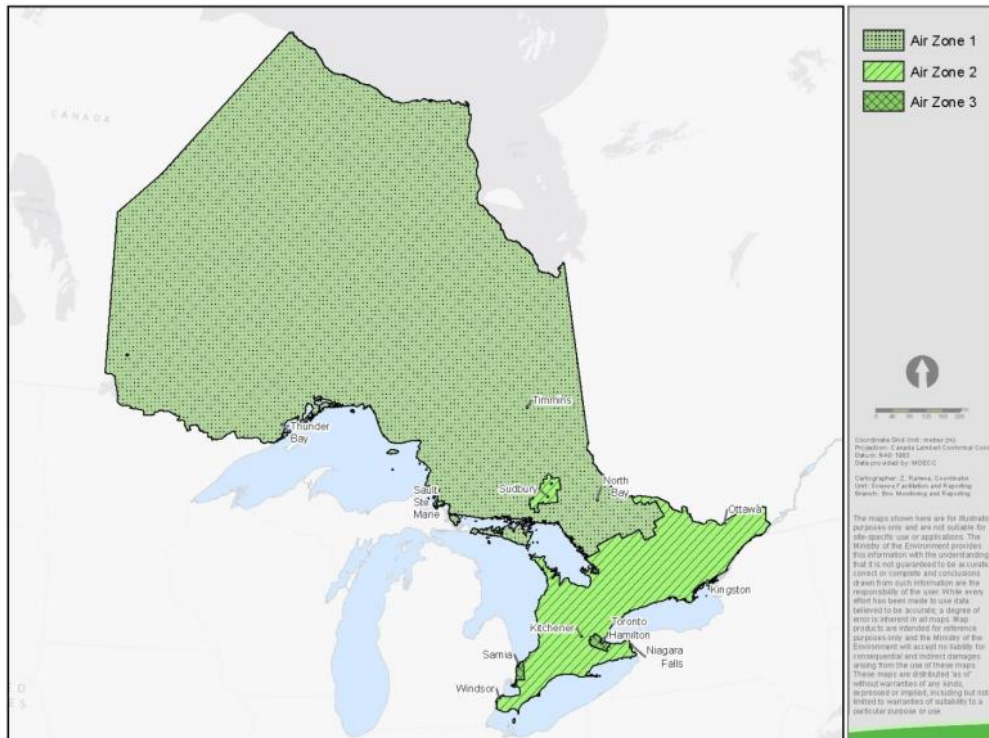
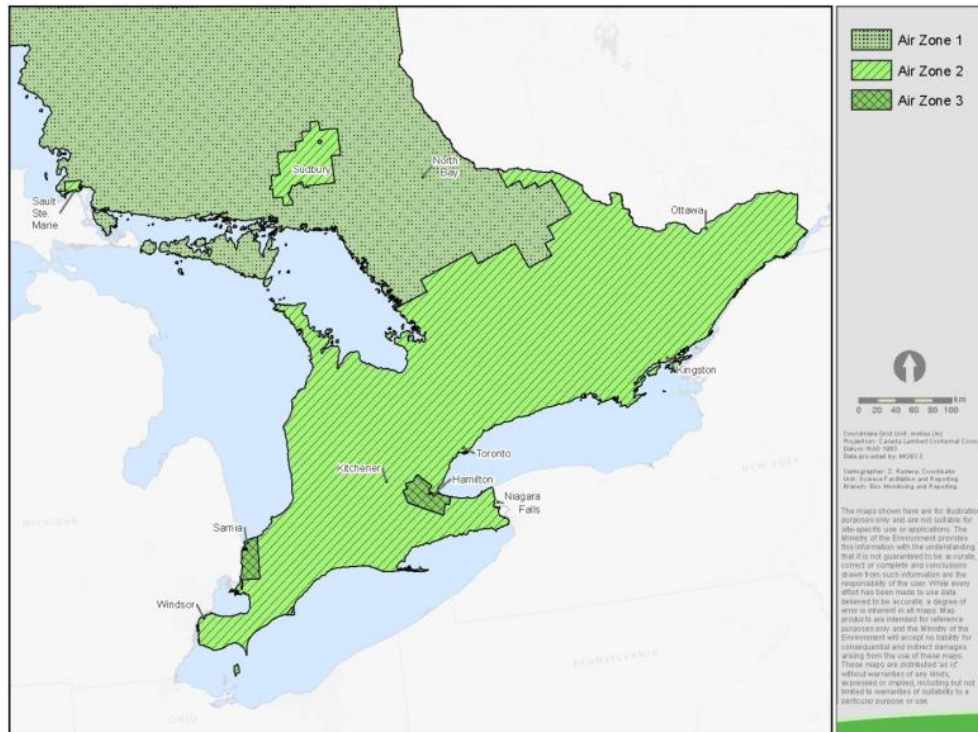


Exhibit 4 Southern Ontario Air Zone Zoom



6 SURROUNDING INDUSTRIAL FACILITIES

A site survey, consisting of a site visit, aerial map analysis and zoning map review, was conducted to identify a list of possible commercial and industrial facilities that could impact the proposed development site. Industrial facility classes are defined in Guideline D-6 into three (3) categories, in ascending order of expected air quality impacts. These industry classes are as defined in **Table 1** in **Section 2.2**.

The minimum separation distances and areas of potential influence have been calculated from the closest existing boundary of the industrial use to the nearest sensitive receptor (property boundary).

The existing facilities within the potential influence area for their industry class are presented in **Appendix C** and summarized in **Table 6**.

Environmental Compliance Approvals (ECAs) and air-related Environmental Activity and Sector Registry (EASR) for the properties zoned light industrial were obtained from Access Environment, maintained by the MECP. A copy of the ECAs and EASRs is included as **Appendix D**.

Table 6 Existing Facility Inventory

INDUSTRIAL FACILITY	UPWIND DIRECTION ¹	DISTANCE ²	NATURE OF OPERATIONS	INDUSTRY CLASS
Washington Mills Electro Minerals Corporation	Southeast	750 m	Fused minerals manufacturing	III
Salit Steel	Southeast	600 m	Rebar fabricator	III

¹Refers to the corresponding direction on a wind rose that wind would blow from

²The distance is calculated from property boundary to the first proposed sensitive activity (residential property) and includes buffers, setbacks and ancillary land uses per D-6 guidelines

Details of these units are provided below.

6.1 Class I – Light Industrial Uses

No Class I facilities was identified within the 70m Potential Influence Area.

6.2 Class II – Medium Industrial Uses

No Class II facilities were identified within the 300m Potential Influence Area.

L. Walter and Sons Excavating Ltd. is a Class II facility that was identified to lie outside of the Potential Influence Area.

6.3 Class III – Heavy Industrial Uses

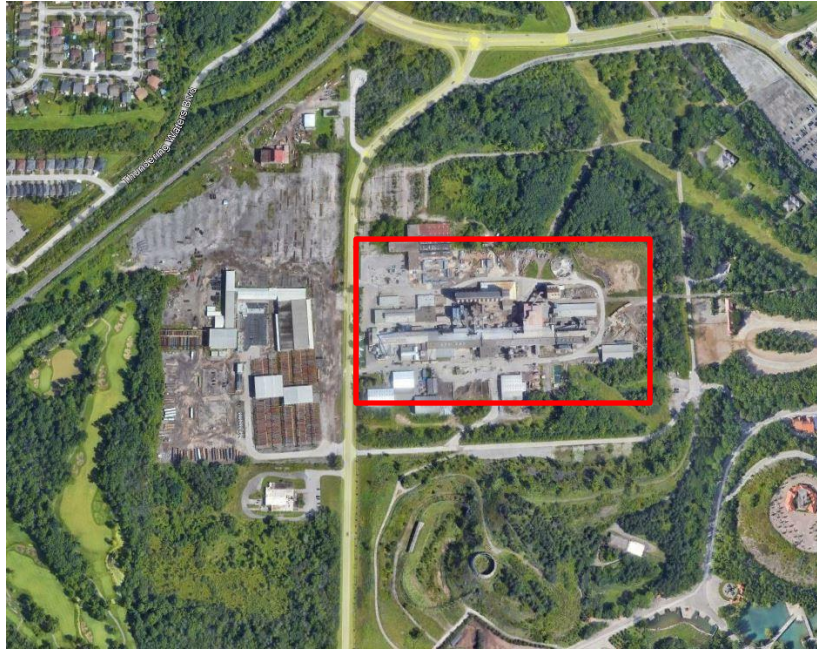
Two (2) Class III facilities were identified within the 1,000m Potential Influence Area, the details of which are provided below.

- Washington Mills Electro Minerals Corporation – 7780 Stanley Avenue, Niagara Falls
- Salit Steel – 7771 Stanley Avenue, Niagara Falls

6.3.1 Washington Mills Electro Minerals Corporation – 7780 Stanley Avenue, Niagara Falls

The Washington Mills Electro Minerals Corporation facility and yard is located at 7780 Stanley Avenue (**Exhibit 5**), approximately 750m southeast of the Site, which lies within the potential influence area but outside of the minimum separation distance for a Class III facility. Based on the collected regional meteorological data, this property is upwind of the Site approximately 3.1% of the year.

Exhibit 5 Washington Mills Electro Minerals Corporation



An Environmental Compliance Approval (ECA) for the property is issued to Washington Mills Electro Minerals Corporation (ECA# 2240-A3WMAC).

Under this ECA, and Emissions Summary and Dispersion Modelling (ESDM) Report. An Acoustic Assessment Report completed to support the ECA identified that the combined sound level from the facility at each affected Point of Noise Reception to meet applicable sound level limits. The ESDM and AAR are to be updated annually and reported to the MECP by March 31 each year.

Some additional compliance measures stipulated in the ECA include:

- Fugitive dust control
- Acoustic audit

The property also operates under an Amended Sewage-Environmental Compliance Approval. The Amended ECA (ECA# 5789-9VVKEG) is also registered to Washington Mills Electro Minerals Corporation and permits the operation of:

- Queen Lagoon, consisting of a settling section, an overflow section and a pump section, measuring 17.1m long x 10.1m wide x 3.0m deep.
- Old Lagoon, consisting of a settling section, and two (2) overflow sections and a pump section, measuring 44.2m long x 9.2m wide x 1.2m deep.

The most up to date 5-year period of NPRI data for the property was reviewed and is summarized in **Table 7**.

Table 7 Washington Mills Canada NPRI Reports Summary

FACILITY NAME	NPRI ID	SUBSTANCE	2016 (TONNES)	2017 (TONNES)	2018 (TONNES)	2019 (TONNES)	2020 (TONNES)
Washington Mills	2704	Chromium	0.139	0.0159	0.038	0.02	0.015
		PM ₁₀	5.257	5.724	14.69	15.994	16.795
		PM _{2.5}	1.065	1.071	3.159	3.48	3.545
		PM _{Total}	-	-	37.58	40.9	-

Since the subject property is located at the edge of the potential influence area and several blocks of sensitive ground-level residential receptors are present between the facility and the proposed development, and an approved ECA is in place, the proposed development at the Site does not represent the introduction of a more sensitive receptor in relation to this facility.

6.3.2 Salit Steel – 7771 Stanley Avenue, Niagara Falls

The Salit Steel facility and yard is located at 7771 Stanley Avenue (**Exhibit 6**), approximately 600m southeast of the Site, which lies within the potential influence area but outside of the minimum separation distance for a Class III facility. Based on the collected regional meteorological data, this property is upwind of the Site approximately 3.1% of the year.

Exhibit 6 Salit Steel



An Environmental Activity and Sector Registry (EASR) for the property is issued to Myer Salit Limited (EASR# R-010-5111971633) for the property located at 7771 Stanley Avenue, Niagara Falls, ON.

Under this EASR, an ESDM Report was completed, dated January 22, 2020, and does not identify the facility as a source of fugitive dust. An Acoustic Assessment Report, dated December 19, 2019, was completed to support the EASR and identified that the combined sound level from the facility at each affected Point of Noise Reception meets applicable sound level limits. The ESDM and AAR are to be updated annually and reported to the MECP by March 31 each year.

A Noise Abatement Action Plan was developed for the facility and an Acoustic Assessment Summary Table was uploaded to the EASR.

Since the subject property is located at the edge of the potential influence area and several blocks of sensitive ground-level residential receptors are present between the facility and the proposed development, and an approved EASR is in place, the proposed development at the Site does not represent the introduction of a more sensitive receptor in relation to this facility.

7 COMPLAINT HISTORY

There are recently built subdivisions surrounding our proposed development site were recently constructed to the immediate south of the Site. We are not aware of any documented environmental concerns and citations pertaining to the industrial land uses currently.

8 CONCLUSION AND RECOMMENDATIONS

A review of the existing industries surrounding the proposed residential development site, with respect to air quality and nuisance pollutants, has been performed in accordance with the MECP D-6 Guideline. Based on a review of facility operations and observations during the site visit, comments have been provided on the potential for impacts from existing industries at the proposed site.

In general, no existing industrial facilities are located within their minimum separation distance and the existing industrial land uses south and southeast of the Site are not expected to present land use compatibility issues with the proposed development.

The closest currently zoned industrial lands are located outside of Class III facility's minimum separation distance, so future land use is not expected to impact the Site either, although future land use should still consider sensitive receptors.

9 LIMITATIONS

This report was prepared solely for the use of the Client. The report may not be used by any other person or entity without the expressed written consent of Arcadis IBI Group and the Client.

The Report has been prepared using reasonably ascertainable information obtained from a review of client-provided reports, data, records and available literature and documents. The Land-Use Compatibility Assessment represents the conditions in the subject area at the time of the assessment. No direct air emissions or ambient air monitoring or other physical sampling and analysis in conjunction with this report was conducted.

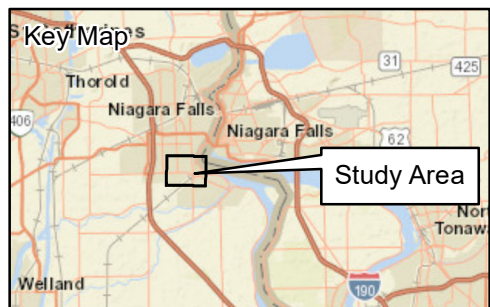
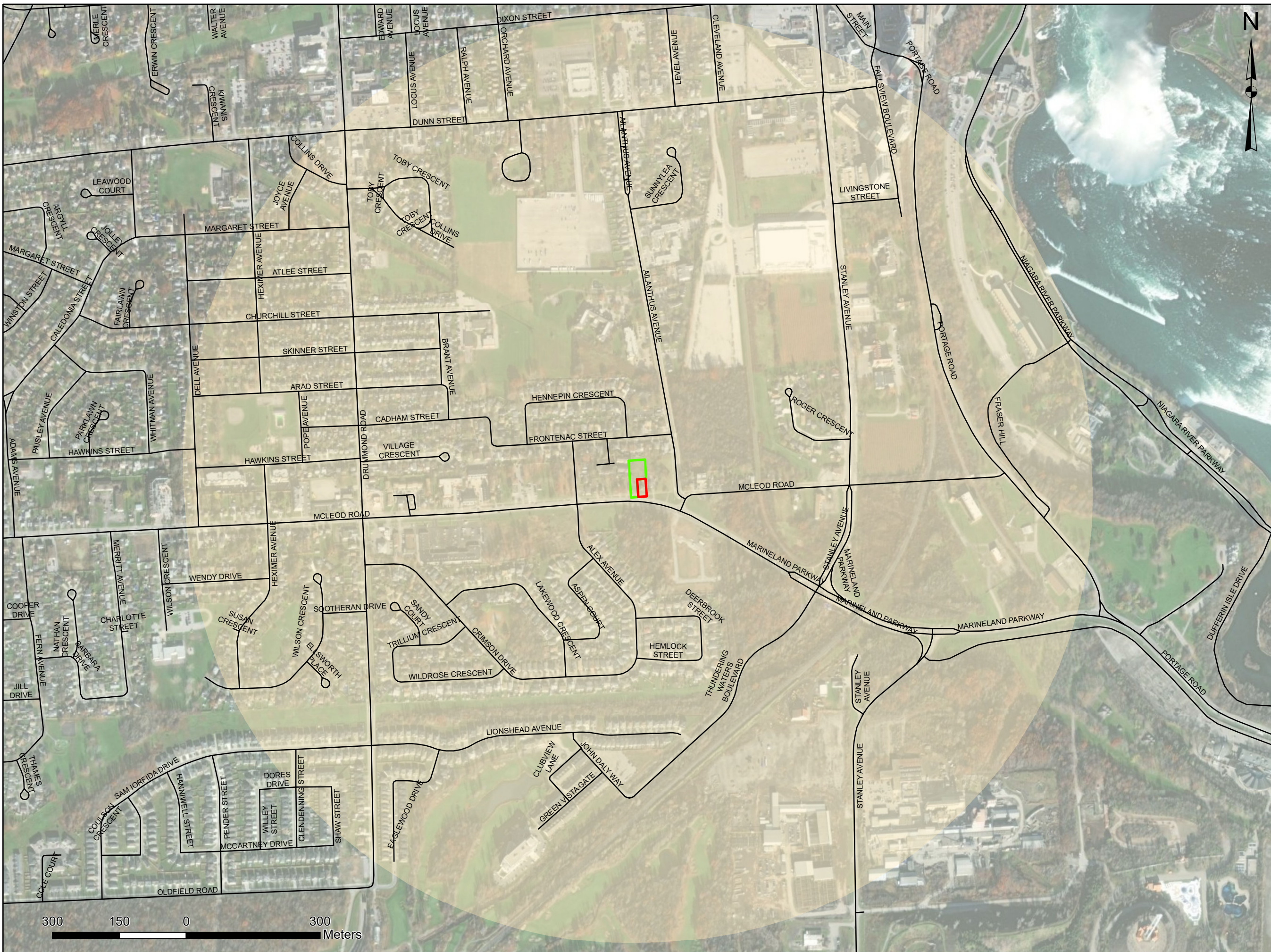
10 REFERENCES

Ontario Ministry of the Environment, Guideline D-1, "Land Use Compatibility" (July 1995)

Ontario Ministry of the Environment, Guideline D-6, "Compatibility Between Industrial Facilities and Sensitive Land Uses" (July 1995)

Ontario Regulation 419/05, "Air Pollution – Local Air Quality"

FIGURES



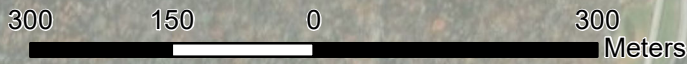
- Legend (Plan)**
- Site Boundaries (5809 McLeod Rd)
 - Site Boundaries (5821&5829 McLeod Rd)
 - Roadway
 - Study Area (1000m Buffer)

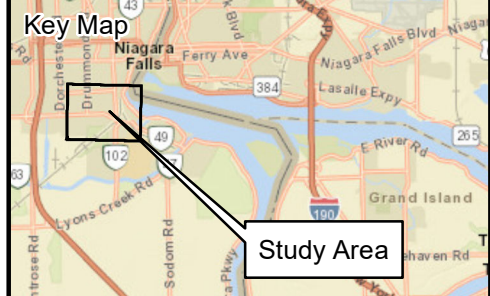
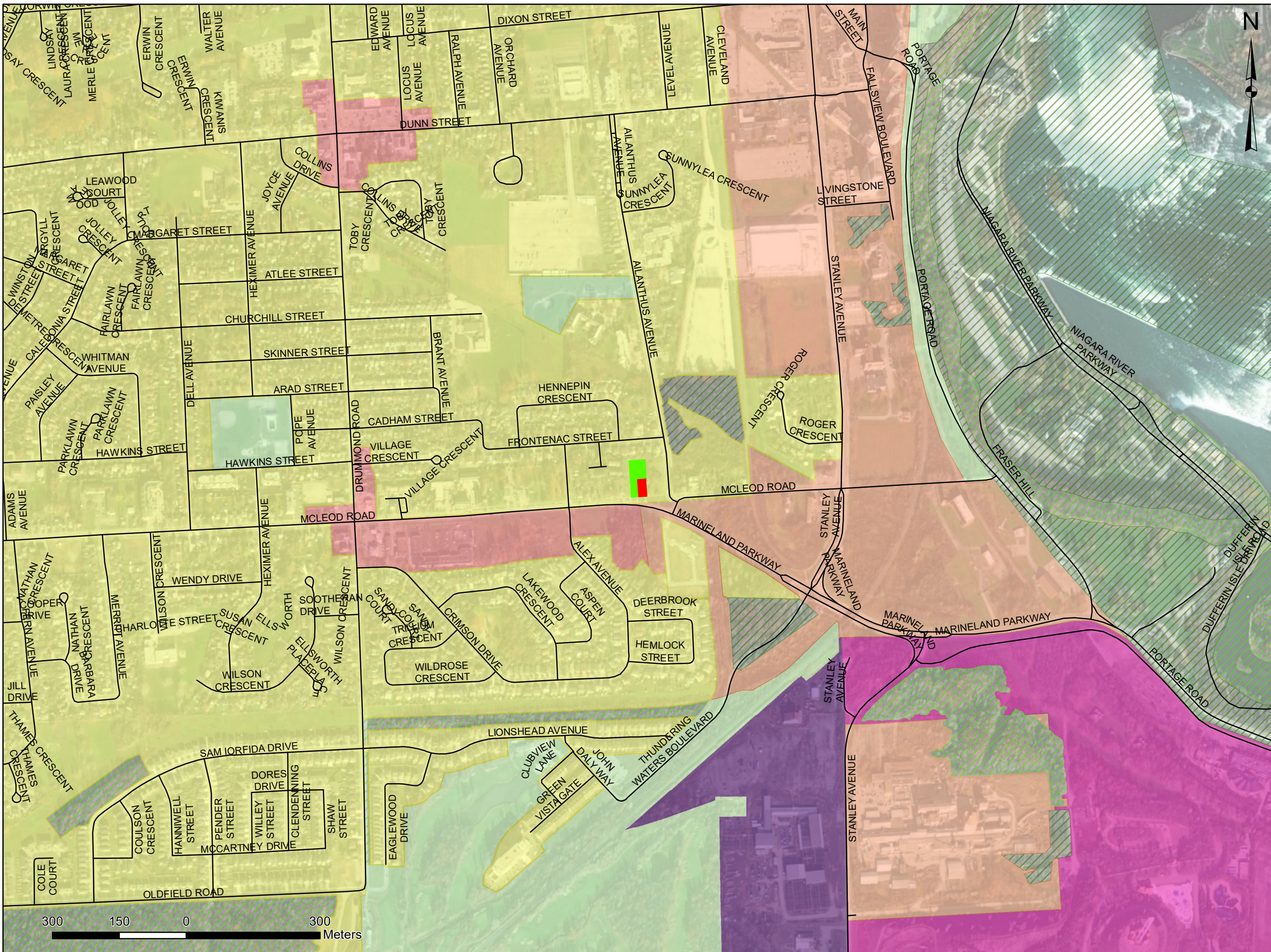
D-6 - LAND USE COMPABILITY - AIR QUALITY ASSESSMENT REPORT
5809, 5821 and 5829 McLeod Road, Niagara Falls, ON L2G 3E5



Site Location Map

Project No.: 142301	Scale: 1:8,000
Figure No.: 1	Date: April 2023





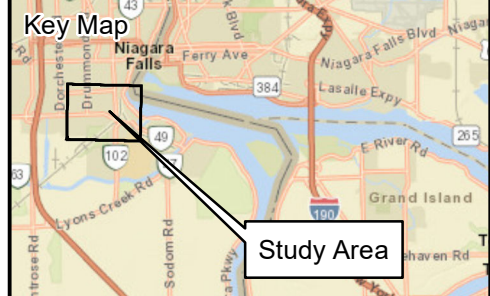
- Legend (Plan)**
- Site Boundaries (5809 McLeod Rd)
 - Site Boundaries (5821&5829 McLeod Rd)
 - Roadway
- Land Use Designation**
- ENVIRONMENTAL CONSERVATION AREA
 - ENVIRONMENTAL PROTECTION AREA
 - INDUSTRIAL
 - MINOR COMMERCIAL
 - OPEN SPACE
 - RESIDENTIAL
 - THEME PARK MARINELAND
 - TOURIST COMMERCIAL

D-6 - LAND USE COMPATIBILITY – AIR QUALITY ASSESSMENT REPORT
5809, 5821 and 5829 McLeod Road, Niagara Falls, ON L2G 3E5



Land Zoning

Project No.: 142301	Scale: 1:8,000
Figure No.: 2	Date: February 2023



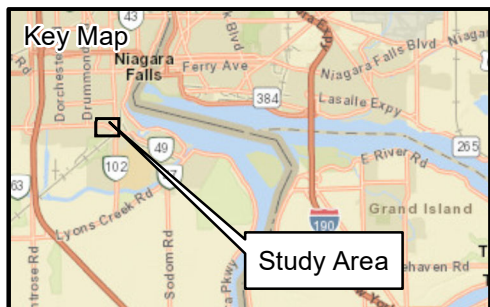
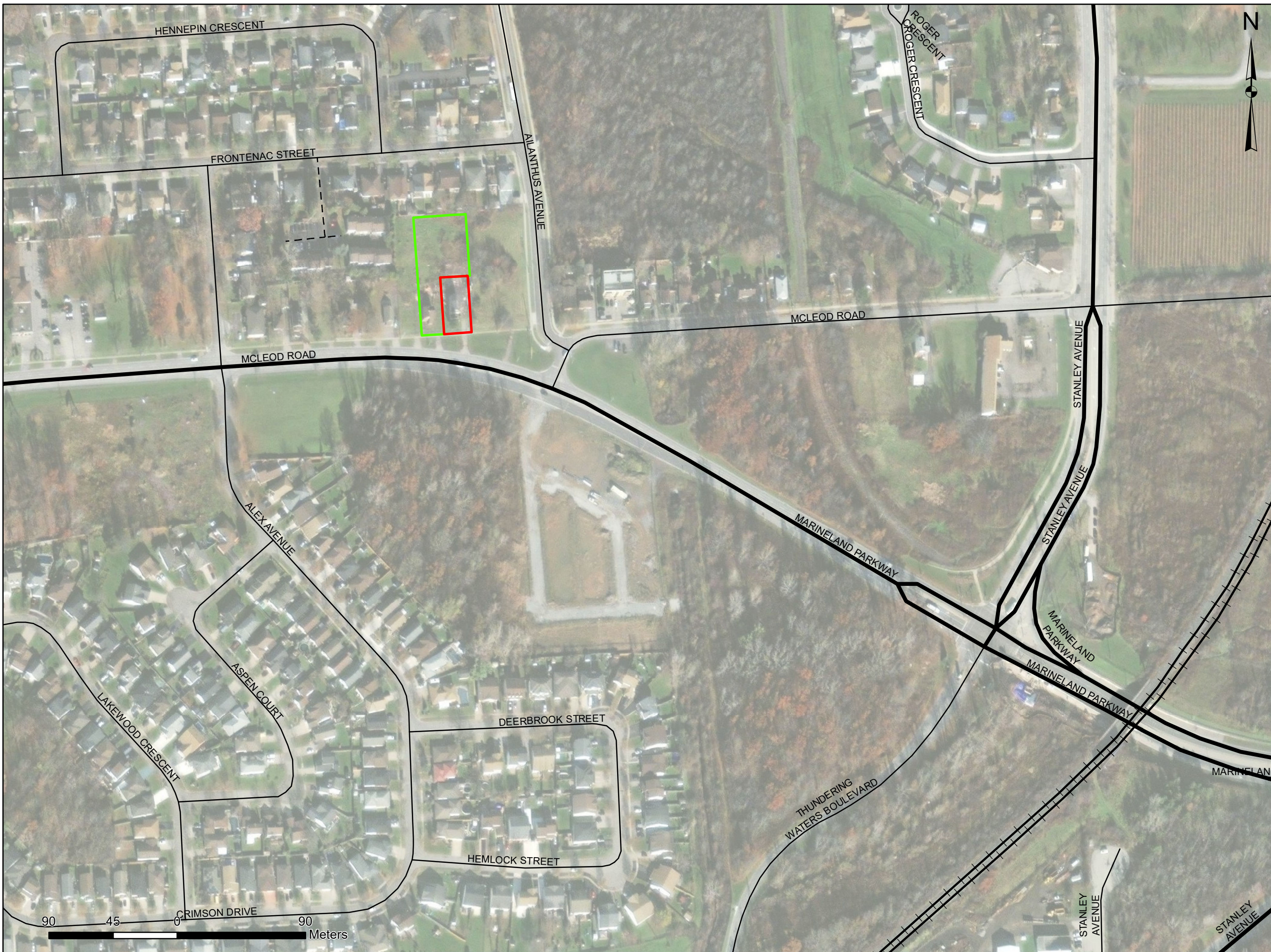
- Legend (Plan)**
- Site Boundaries (5809 McLeod Rd)
 - Site Boundaries (5821&5829 McLeod Rd)
 - Roadway
- Recommended Minimum Separation Distance**
- Class I - Small-scale Industrial (20m)
 - Class II - Medium-scale Industrial (70m)
 - Class III - Large-scale Industrial (300m)
- Potential Area Of Influence**
- Class I - Small-scale Industrial (70m)
 - Class II - Medium-scale Industrial (300m)
 - Class III - Large-scale Industrial (1km)

D-6 - LAND USE COMPATIBILITY – AIR QUALITY ASSESSMENT REPORT
5809, 5821 and 5829 McLeod Road,
Niagara Falls, ON L2G 3E5



Industrial Land Use Separation Map

Project No.: 142301	Scale: 1:8,000
Figure No.: 3	Date: February 2023



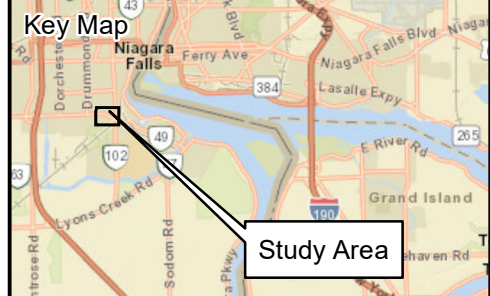
- Legend (Plan)**
- Site Boundaries (5809 McLeod Rd)
 - Site Boundaries (5821&5829 McLeod Rd)
 - Railway
- Road Class**
- Arterial
 - Local / Strata
 - Local / Street

D-6 - LAND USE COMPATIBILITY – AIR QUALITY ASSESSMENT REPORT
5809, 5821 and 5829 McLeod Road,
Niagara Falls, ON L2G 3E5



Roadway Classification Map

Project No.: 142301	Scale: 1:2,500
Figure No.: 4	Date: February 2023



Legend (Plan)

- Site Boundaries (5809 McLeod Rd)
- Site Boundaries (5821&5829 McLeod Rd)
- Roadway

Trackclass

- Main
- + Siding

D-6 - LAND USE COMPATIBILITY – AIR QUALITY ASSESSMENT REPORT
5809, 5821 and 5829 McLeod Road,
Niagara Falls, ON L2G 3E5



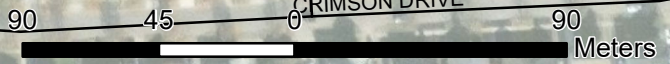
Rail Classification Map

Project No.: 142301

Scale: 1:2,500

Figure No.: 5

Date: February 2023



Appendix A – Plans and Drawings

O.B.C. MATRIX

The architect certifies that the proposed development complies with respect to design activities. The architect's seal number is the architect's R.O.M.N.

ITEM	DESCRIPTION	DATE	STATUS
9.01	PROJECT DESCRIPTION BLOCK A/B/C BLOCK A/B/C BLOCK A/B/C	2021-01-01	NEW
9.02	MAJOR OCCUPANCY CLASSIFICATION	GROUP C RESIDENTIAL OCCUPANCY	9.1.0.2
9.03	REPLACEMENT MAJOR OCCUPANCY		
9.04	BUILDING AREA (FOOTPRINT ON THE SITE)	BUILDING A: 428.88 m ² BUILDING B: 428.88 m ² BUILDING C: 274.22 m ²	1.4.1.2.1(a)
9.05	GROSS FLOOR AREA (FOOTPRINT ON THE SITE)	BUILDING A: 1176.07 m ² BUILDING B: 1176.07 m ² BUILDING C: 709.88 m ²	1.4.1.2.1(a)
9.06	MEZANINE(S) AREA m ²	ONE NOT APPLICABLE	
9.07	BUILDING HEIGHT (M STORIES)	3 1/2	1.4.1.2.1(b)-1.2.1.1
9.08	NUMBER OF STORIES/ACCESS ROUES	BUILDING A: 3 STORIES BUILDING B: 3 STORIES BUILDING C: 1 STORIES	
9.09	SPRINKLER SYSTEM PREPARED	ENTIRE BUILDING <input type="checkbox"/> SELECTED COMPARTMENTS <input type="checkbox"/> BASEMENT ONLY <input type="checkbox"/>	9.1.0.2 9.1.0.2.2 9.1.0.2.2
9.10	FIRE ALARM REQUIRED	YES <input type="checkbox"/> NO <input type="checkbox"/>	9.1.0.1.2
9.11	WATER SERVICE SUPPLY IS ADEQUATE	YES <input type="checkbox"/> NO <input type="checkbox"/>	
9.12	PREMIERED CONSTRUCTION	COMPOSITE <input type="checkbox"/> NON-COMPOSITE <input checked="" type="checkbox"/>	9.1.0.6
9.13	ACTUAL CONSTRUCTION	COMPOSITE <input type="checkbox"/> NON-COMPOSITE <input checked="" type="checkbox"/>	9.1.0.6
9.14	TOTAL OCCUPANCY LOAD: 107 PERSONS (AS PER 2 PERSONS OCCUPANT LOAD)		9.1.1.7

O.B.C. MATRIX (cont.)

ITEM	DESCRIPTION	DATE	STATUS
9.15	BARRIER-FREE DESIGN ROOM IN OWN	YES (NO ELEVATOR ONLY FOR SITE ACCESSIBLE)	9.4.5 & 9.5.2
9.16	HAZARDOUS SUBSTANCES	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	9.1.0.13(a)
9.17	PERSONAL ASSASSINATES	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	9.1.0.8
9.18	SMALL SEPARATION - CONSTRUCTION OF EXTERIOR WALLS (FIRE COMPARTMENTS)	9.1.0.1.4	
9.19	PLUMBING	WATER COCKETS FOR PUBLIC USE (COMMON ELEMENT)	9.3.1.1.1
9.20	REFER TO CITY COMMENTS		

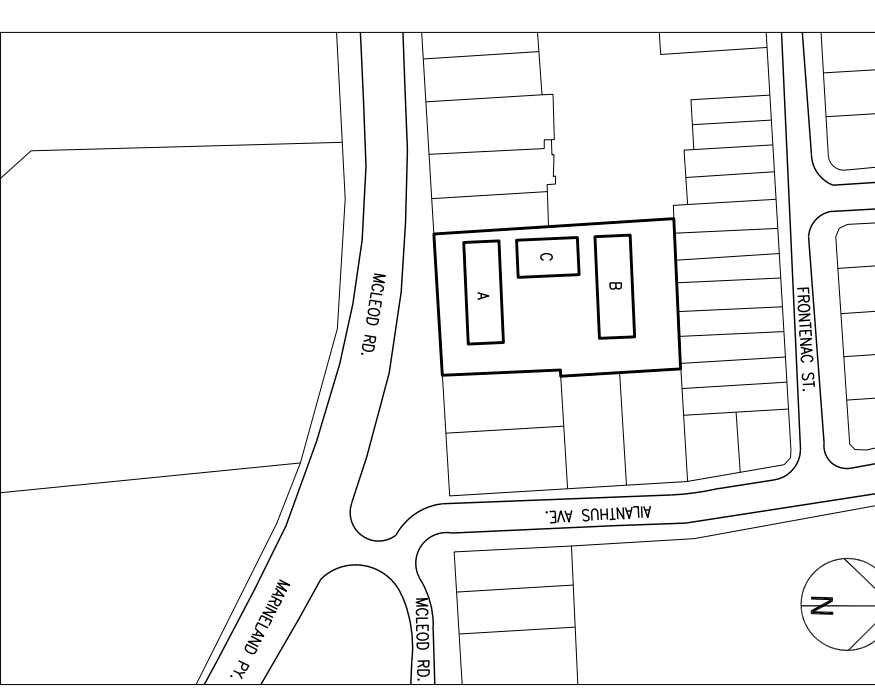
ZONING MATRIX

ITEM	DESCRIPTION	DATE	STATUS
9.21	PROFESSIONAL ENGINEER AND ARCHITECT REQUIRED	YES	
9.22	REQUIRED FIRE PROTECTION RATING OF CURTAIN TO BE A MINIMUM 20 MINUTES IN WALLS REQUIRED TO HAVE BE & FIRE	YES	
9.23	REFER TO CITY COMMENTS		

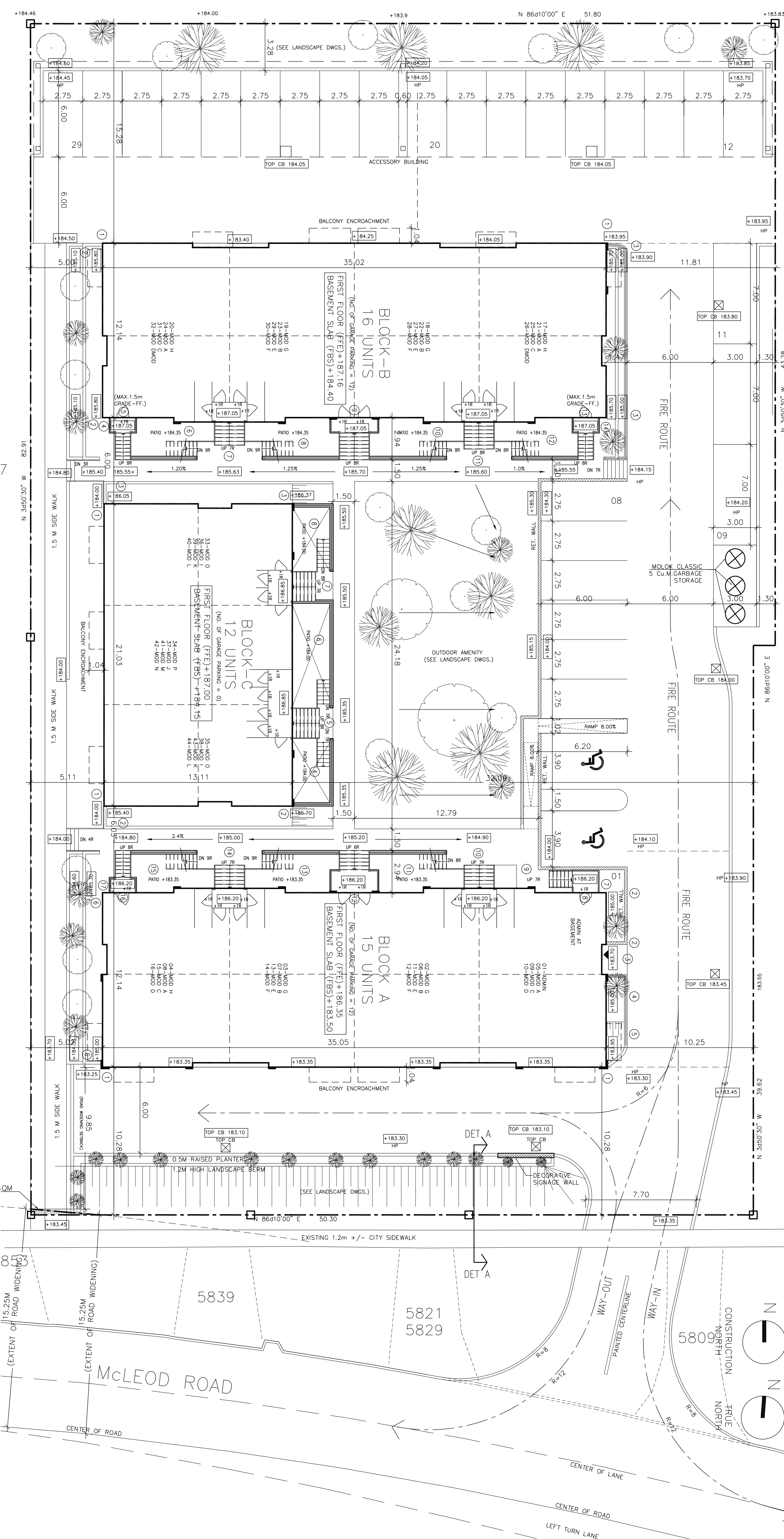
AREA MATRIX

ITEM	DESCRIPTION	DATE	STATUS
9.24	FORMING BY-LAW NO. 79-200		
9.25	CURRENT ZONING R4		
9.26	PROPOSED ZONING R5C		
9.27	SITE STATISTICS		
9.28	UNITS	42 UNITS	
9.29	PROG'D	42 UNITS	
9.30	LOT AREA m ² /1000/2/UNIT	4233.98m ²	
9.31	LOT DEPTH	82.91M	
9.32	LOT FRONTAGE	30M	
9.33	FRONT YARD SETBACK	7.5M	
9.34	LEFT SIDE YARD SETBACK	6.0M	
9.35	RIGHT SIDE YARD SETBACK	6.0M	
9.36	REAR YARD SETBACK	10.25M	
9.37	VEHICLE ENTRANCE WIDTH	1.9M	
9.38	BUILDING HEIGHT	12.97 M (Bk A) 12.97 M (Bk B) 13 M (Bk C)	
9.39	PARKING	53	
9.40	NUMBER OF BUILDINGS	3	
9.41	NUMBER OF STOREYS	3 1/2	
9.42	TOTAL GROSS FL AREA (A+B+C)	4068.57 SQM	
9.43	BLD. COVERAGE (TOTAL/AV)	15.75%	
9.44	LANDSCAPE AREA (M ² /50%)	1675.88 M ²	
9.45	LANDSCAPE AREA (M ² /25%)	837.94 M ²	
9.46	LANDSCAPE AREA (M ² /10%)	418.97 M ²	
9.47	LANDSCAPE AREA (M ² /5%)	209.48 M ²	
9.48	LANDSCAPE AREA (M ² /2.5%)	104.74 M ²	
9.49	LANDSCAPE AREA (M ² /1%)	52.37 M ²	
9.50	LANDSCAPE AREA (M ² /0.5%)	26.18 M ²	
9.51	LANDSCAPE AREA (M ² /0.25%)	13.09 M ²	
9.52	LANDSCAPE AREA (M ² /0.1%)	5.24 M ²	
9.53	LANDSCAPE AREA (M ² /0.05%)	2.62 M ²	
9.54	LANDSCAPE AREA (M ² /0.025%)	1.31 M ²	
9.55	LANDSCAPE AREA (M ² /0.01%)	0.65 M ²	
9.56	LANDSCAPE AREA (M ² /0.005%)	0.33 M ²	
9.57	LANDSCAPE AREA (M ² /0.0025%)	0.16 M ²	
9.58	LANDSCAPE AREA (M ² /0.001%)	0.08 M ²	
9.59	LANDSCAPE AREA (M ² /0.0005%)	0.04 M ²	
9.60	LANDSCAPE AREA (M ² /0.00025%)	0.02 M ²	
9.61	LANDSCAPE AREA (M ² /0.0001%)	0.01 M ²	

ZONING AMENDMENT



429.97 m²



MCLEOD STACKED TOWNS - NIAGARA, ON

MCLEOD MANOR STACKED TOWNHOMES

Contractor must verify all dimensions on the job and report any discrepancy to the architect before proceeding with the work. All drawings and specifications are instruments of service and the property of the architect, which must be returned at the completion of the work.



MCLEOD MANOR STACKED TOWNHOMES

MASTER PLAN

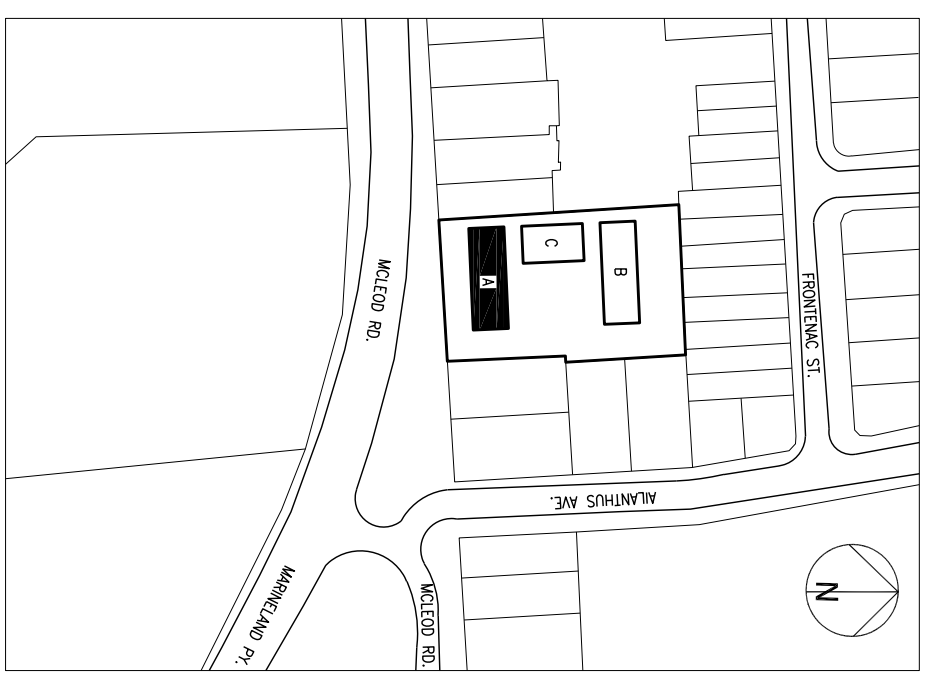
VANLE ARCHITECT
info@vanle.co
80 CORPORATE DR. Suite 206, Toronto, Ontario M1H 3K5
T: 416 467-4667 E: info@vanle.co Web: www.vanle.co

Scale: Proj. No: 2021-01
1:150
Drawn by: DJ
Checked by: TNL
Date 1st Plot: NOV 03'22

Sheet Title: A1.00
Drawing No.:
Scale: 1:150
Date 1st Plot: NOV 03'22

ZONING AMENDMENT

KEY PLAN (N1S)




No.	Revision comments	DATE	BY
1	FOR ZONING AMENDMENT	NOV. 12/2022	DJ

Contractor must verify all dimensions on the job and report any discrepancy to the architect before proceeding with the work. All drawings and specifications are instruments of service and the property of the architect which must be returned at the completion of the work.

**MCLEOD MANOR
STACKED TOWNHOMES**





VANLE ARCHITECT
 info@vanle.co
 80 CORPORATE DR. Suite 206, Toronto, Ontario M1H 3J5
 T. 416 467-4667 E. info@vanle.co Web: www.vanle.co

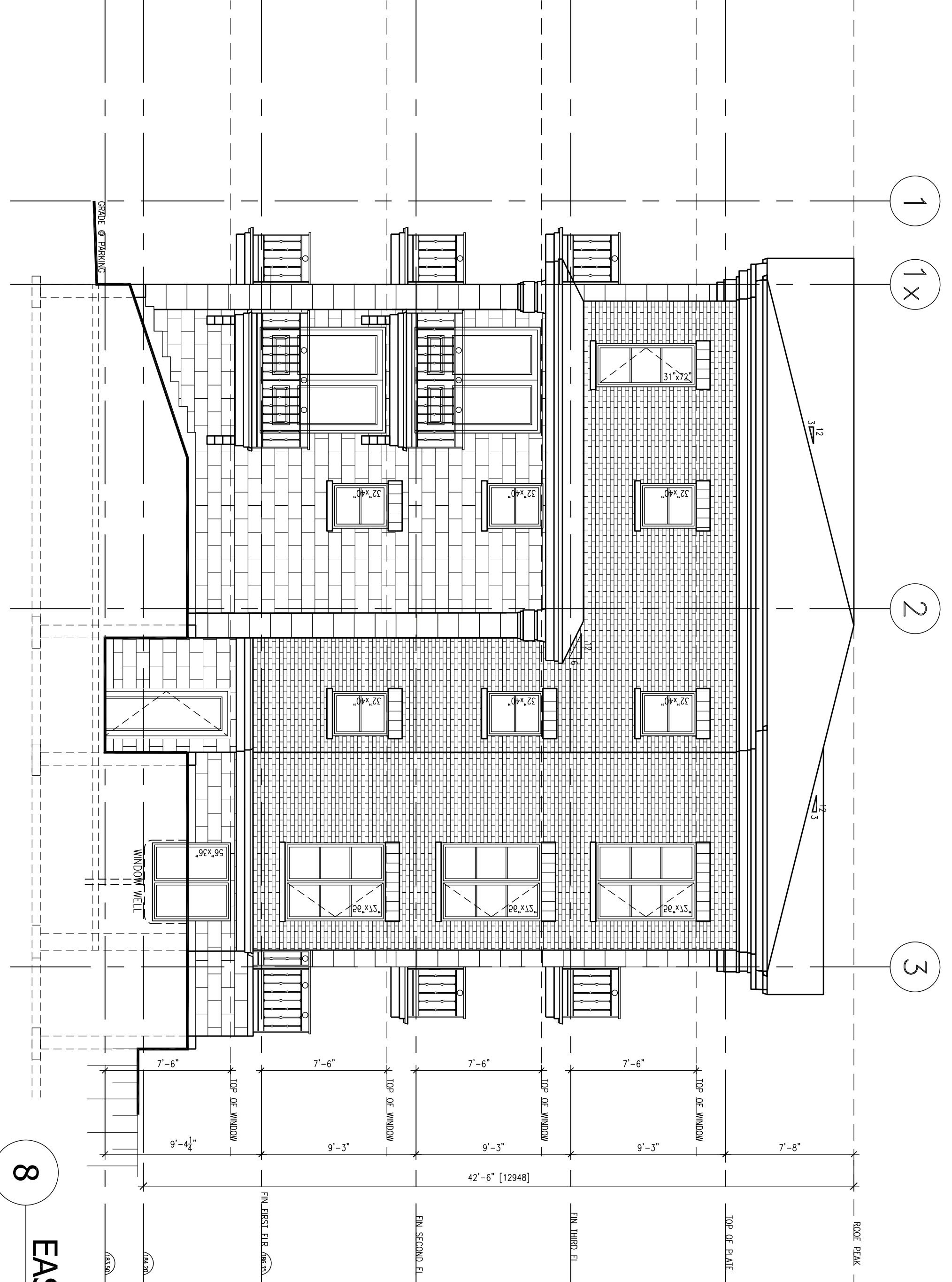
ELEVATION

Scale:	Proj. No:
3/16"=1'-0"	2021-01
Drawn by:	Checked by:
DJ	TAL
Date 1st Plot:	Sheet Title:
NOV 03'22	

Drawing No.: **BIK.A-A1.09**

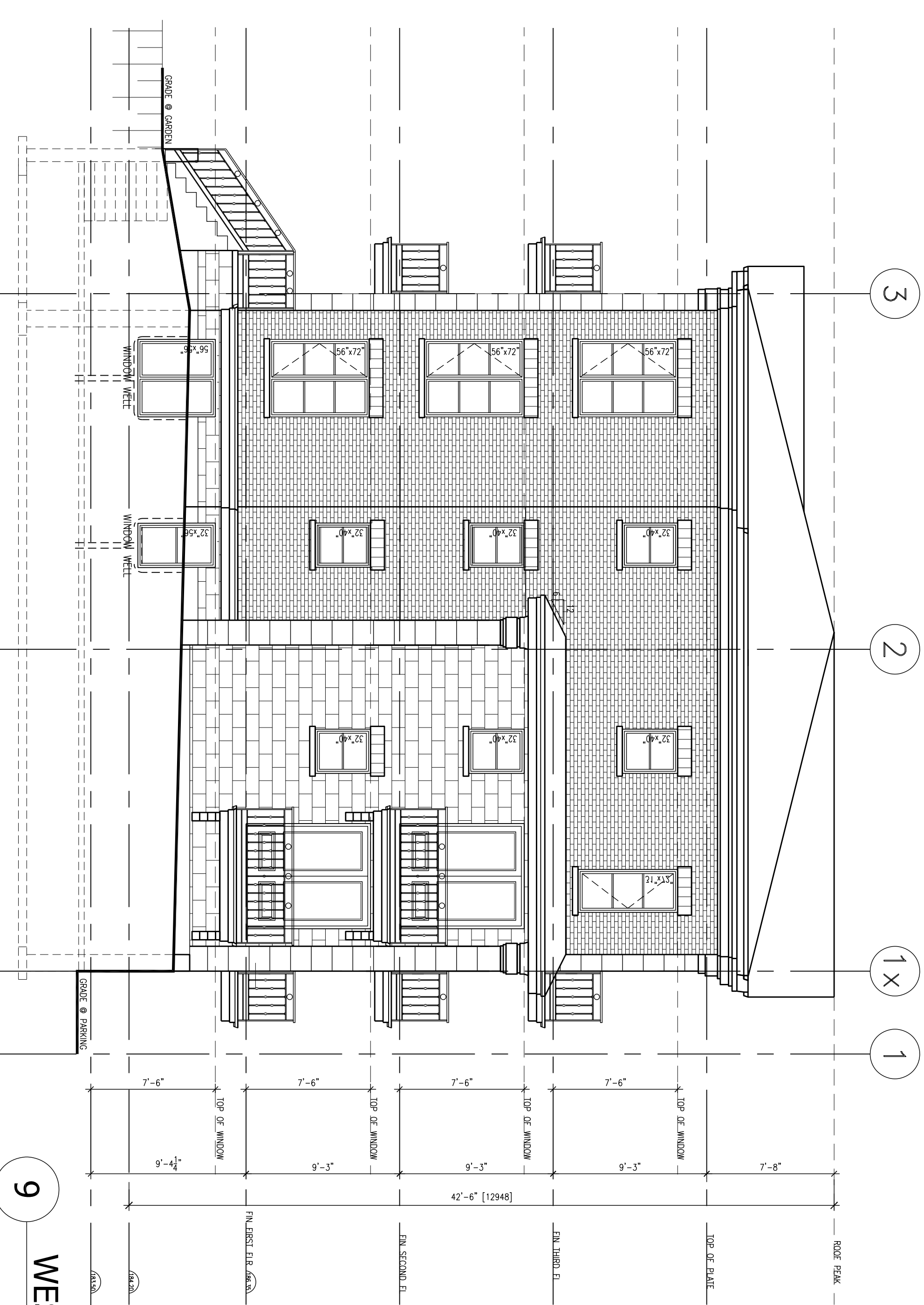
8 EAST ELEVATION

4 MODULE BLOCK (ELEV. B)



9 WEST ELEVATION

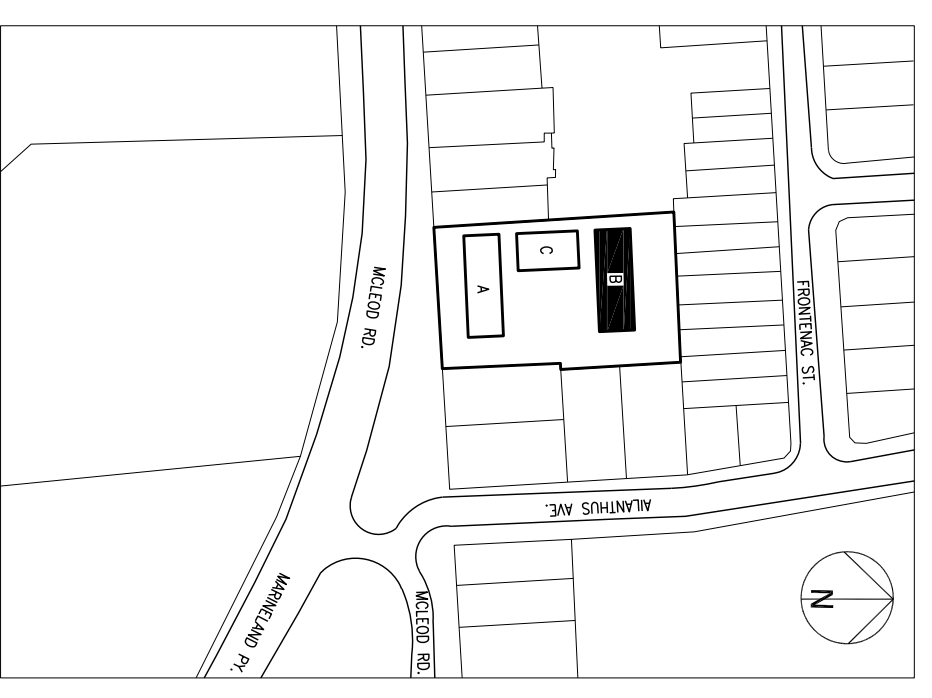
4 MODULE BLOCK (ELEV. B)



MCLEOD STACKED TOWNS — NIAGARA, ON

ZONING AMENDMENT

KEY PLAN (N/S)



No.	Revision comments	DATE	BY
1	FOR ZONING AMENDMENT	NOV. 12/2022	DJ

Contractor must verify all dimensions on the job and report any discrepancy to the architect before proceeding with the work. All drainage and specifications are instruments of service and the property of the architect which must be returned at the completion of the work.

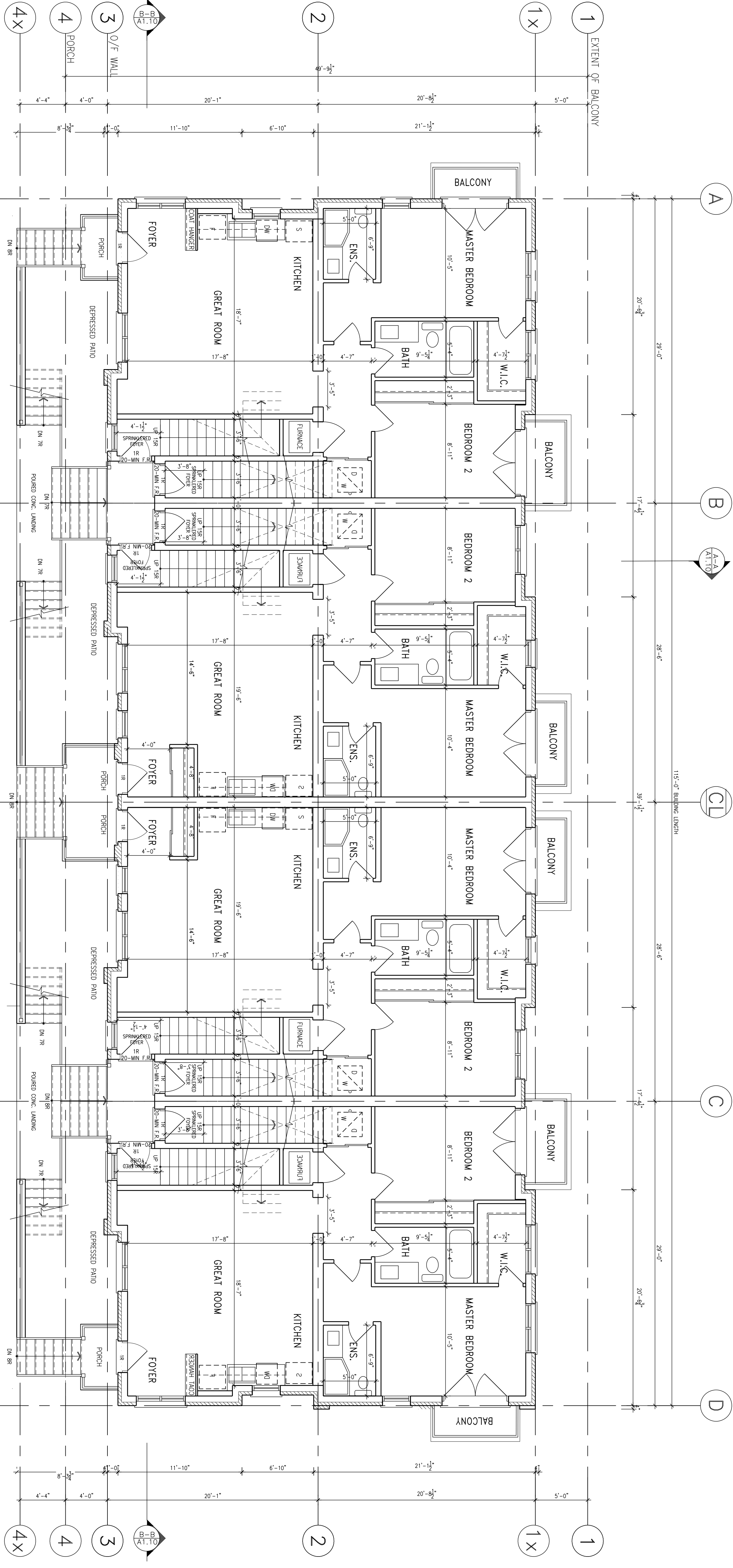
**MCLEOD MANOR
STACKED TOWNHOMES**



VANLE ARCHITECT
info@vanle.ca
80 CORPORATE DR. Suite 206, Toronto, Ontario M1H 3S5
T: 416 467-4667 E: info@vanle.ca Web: www.vanle.ca

GROUND FLR.
Scale: 3/16"=1'-0"
Proj. No: 2021-01
Drawn by: DJ
Checked by: T.V.L.
Date 1st Plot: NOV 03/22

Drawing No.: **BIK.B-A1.03**



**3 GROUND FLOOR
4 MODULE BLOCK A&B**

MODEL - A
UNIT #21

MODEL - B
UNIT #22

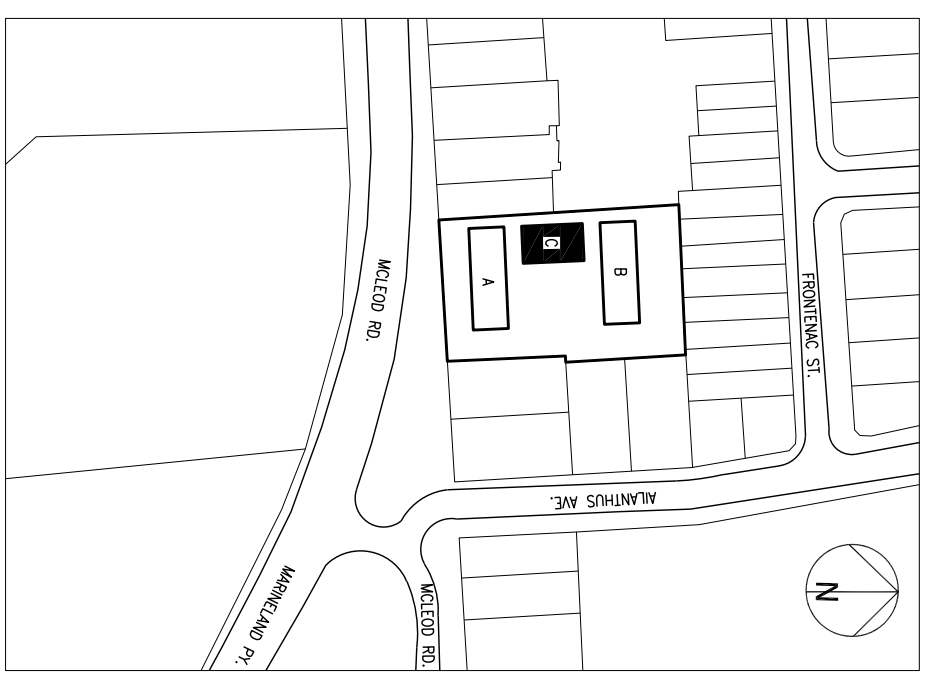
MODEL - B
UNIT #23

MODEL - A
UNIT #24

MCLEOD STACKED TOWNS - NIAGARA, ON

ZONING AMENDMENT

KEY PLAN (N1S)



No.	Revision comments	DATE	BY
1	FOR ZONING AMENDMENT	NOV. 12/2022	DJ

Contractor must verify all dimensions on the job and report any discrepancy to the architect before proceeding with the work. All drawings and specifications are instruments of service and the property of the architect which must be returned at the completion of the work.

**MCLEOD MANOR
STACKED TOWNHOMES**



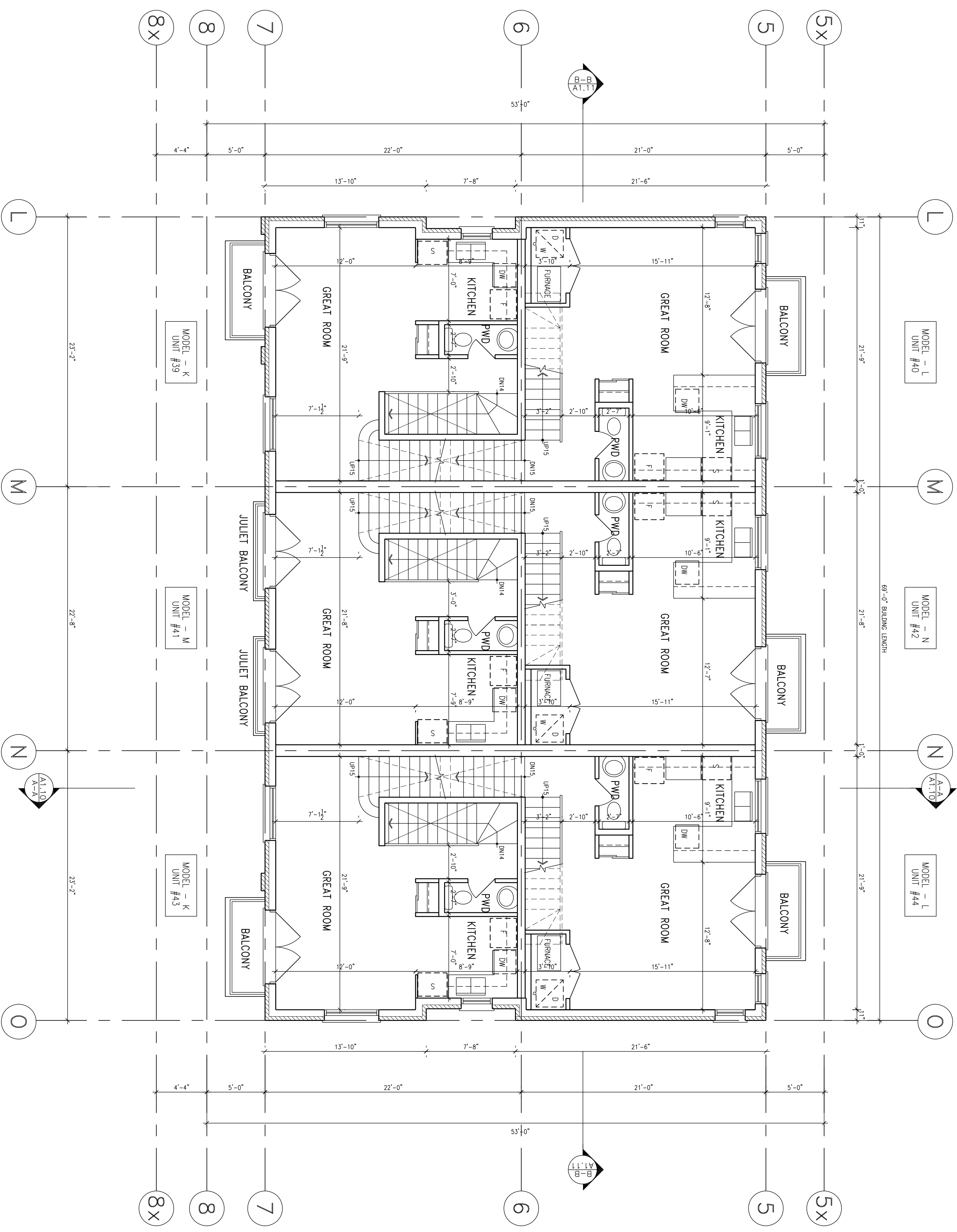
VANLE ARCHITECT
info@vanle.ca
80 CORPORATE DR. Suite 206, Toronto, Ontario M1H 3G5
T. 416 457-4667 E. info@vanle.ca Web: www.vanle.ca

SECOND FLR.

Scale: Proj. No:
3/16"=1'-0" 2021-01
Drawn by: RB Checked by: TNL
Date 1st Plot: MAR 24/23
Sheet Title:

Drawing No.: **BIK.C-A1.04**

4 SECOND FLOOR
3 MODULE BLOCK C



MCLEOD STACKED TOWNS – NIAGARA, ON

Appendix B – Site Photographs



Photo 1: View of subject site from Northern boundary



Photo 2: View of adjacent properties to the north



Photo 3: View of adjacent property to the east



Photo 4: View of adjacent property to the south



Photo 5: View of adjacent property to the west



Photo 6: View of construction activities and roadway intersection to the southeast



Photo 7: View of Walter L & Sons Excavating located approximately 530m southeast of the Site



Photo 8: View of Washinton Mills Electro Minerals located approximately 830m southeast of the Site



Photo 9: View of Salit Steel located approximately 685m south of the Site



Photo 10: View of Niagara Parks power Station Tourist Facility located approximately 870m northeast of the Site

Appendix C – Existing Facility Inventory

Appendix C - Existing Facility Inventory

Business	Outputs	Scale	Process	Operation / Intensity	Address	Industry Class	Within Potential Influence Area	Within Minimum Separation Distance	Type
Washington Mills Electro Minerals Corporation	Dust, Noise, furnace emissions	Large / outside storage	Self-contained building / Low probability of fugitive emissions	Daytime hours, weekend hours / Infrequent movement	7780 Stanley Ave, Niagara Falls, ON L2E 6X8	III	Yes	No	Fused minerals manufacturing
Salit Steel	Metals, Dust, Noise	Large / outside storage	Low probability of fugitive emissions	Daytime hours, weekend hours / Infrequent movement	7771 Stanley Ave, Niagara Falls, ON L2E 6V6	III	Yes	No	Rebar Fabricator
L. Walter and Sons Excavating Ltd.	Dust, Noise	Small / outside storage	Low probability of fugitive emissions	Daytime hours, weekend hours / Infrequent movement	7527 Stanley Ave, Niagara Falls, ON L2G 3E3	II	No	No	Construction Company

Appendix D – MECP ECAs and EASRs

No. 2240-A3WMAC
No. 5789-9VVKEG
No. R-010-5111971633

Content Copy Of Original



Ministry of the Environment and Climate Change
Ministère de l'Environnement et de l'Action en matière de changement
climatique

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 5789-9VVKEG
Issue Date: August 9, 2016

Washington Mills Electro Minerals Corporation
7780 Stanley Avenue
Post Office Box, No. 1002
Niagara Falls, Ontario
L2E 6V9

Site Location: Washington Mills Electro Minerals Corporation
7780 Stanley Avenue
City of Niagara Falls
Regional Municipality of Niagara

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:

existing sewage works for the collection, transmission, treatment and disposal of non-contact cooling water from the electric arc furnaces of the abrasive manufacturing plant and the stormwater runoff from the site located at the above mentioned Site location, consisting of the following:

Queen Lagoon

- one (1) **lagoon** (known as the Queen Lagoon), consisting of a settling section, an overflow section and a pump section, measuring 17.1 metres long x 10.1 metres wide x 3.0 metres deep, complete with baffles, inclined splash plate and oil skimmer pipe, having cooling water from the electric furnaces flowing into the settling section at a hydraulic flow of approximately 433 litres per second and discharging approximately 214 litres per second, after recirculation of approximately 242 litres per second back to the furnace, via a 762 millimetre diameter concrete sewer which extends onto lands of Marineland with discharge to Pell Creek and then to Welland River.

Old Lagoon

- one (1) **lagoon** (known as the Old Lagoon), consisting of a settling section, and two (2) overflow sections and a pump section, measuring a total of 44.2 metres long x 9.2 metres wide x 1.2 metres deep, complete with baffles, having cooling water from the electric furnaces flowing into the settling section via a 610 millimetre diameter concrete pipe at approximately 84 litres per second, and discharging to the municipal storm sewer on Stanley Avenue and then to Welland River.

including all other controls, electrical equipment, instrumentation, piping, pumps, valves and appurtenances essential for the proper operation of the aforementioned Works.

all in accordance with supporting documents listed in Schedule 'A'.

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

"Application" means the application for an environmental compliance approval submitted to the Ministry for approval by or on behalf of the Owner and dated October 1, 2014;

"Approval" means this entire document and any schedules attached to it, and the application;

"Director" means a person appointed by the Minister pursuant to section 5 of the EPA for the purposes of Part II.1 of the EPA;

"District Manager" means the District Manager of the Niagara District Office;

"EPA" means the *Environmental Protection Act, R.S.O. 1990, c.E.19*, as amended;

"Ministry" means the ministry of the government of Ontario responsible for the EPA and OWRA and includes all officials, employees or other persons acting on its behalf;

"Owner" means Washington Mills Electro Minerals Corporation, and its successors and assignees;

"OWRA" means the *Ontario Water Resources Act, R.S.O. 1990, c. O.40*, as amended; and

"Works" means the sewage works described in the Owner's application, and this Approval.

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. GENERAL CONDITION

(1) The Owner shall ensure that any person authorized to carry out work on or operate any aspect of the Works is notified of this Approval and the terms and conditions herein and shall take all reasonable measures to ensure any such person complies with the same.

(2) Except as otherwise provided by these terms and conditions, the Owner shall design, build, install, operate and maintain the Works in accordance with this Approval.

(3) Where there is a conflict between a provision of this environmental compliance approval and any document submitted by the Owner, the conditions in this environmental compliance approval shall take precedence. Where there is a conflict between one or more of the documents submitted by the Owner, the Application shall take precedence unless it is clear that the purpose of the document was to amend the Application

(4) Where there is a conflict between the documents listed in the Schedule A, and the application, the application shall take precedence unless it is clear that the purpose of the document was to amend the application.

(5) The terms and conditions of this Approval are severable. If any term and condition of this environmental compliance approval, or the application of any requirement of this environmental compliance approval to any circumstance, is held invalid or unenforceable, the application of such condition to other circumstances and the remainder of this Approval shall not be affected thereby.

(6) The issuance of, and compliance with the conditions of, this Approval does not:

(a) relieve any person of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement, including, but not limited to, the obligation to obtain approval from the local conservation authority necessary to construct or operate the sewage Works; or

(b) limit in any way the authority of the Ministry to require certain steps be taken to require the Owner to furnish any further information related to compliance with this Approval.

2. CHANGE OF OWNER

(1) The Owner shall notify the District Manager and the Director, in writing, of any of the following changes within **thirty (30) days** of the change occurring:

(a) change of address of Owner or operating authority;

(b) change of Owner or operating authority or both, including address of new Owner or operating authority, or both;

(c) change of partners where the Owner or operating authority is or at any time becomes a partnership, and a copy of the most recent declaration filed under the *Business Names Act, R.S.O. 1990, c. B.17*; and

(d) change of name of the corporation where the Owner or operator is or at any time becomes a corporation, and a copy of the "Initial Return" or "Notice of Change" filed under the *Corporations Information Act, R.S.O. 1990, c. C.39*, shall be included in the notification to the District Manager.

(2) In the event of any change in ownership of the Works, the Owner shall notify in writing the succeeding owner of the existence of this Approval, and a copy of such notice shall be forwarded to the District Manager.

(3) The Owner shall ensure that all communications made pursuant to this condition refer to the number at the top of this environmental compliance approval.

3. OPERATION AND MAINTENANCE

(1) The Owner shall prepare an operations manual within **six (6) months** of the issuance of this Approval that includes, but is not necessarily limited to, the following information:

(a) operating procedures for routine operation of the Works;

(b) inspection programs, including frequency of inspection, for the Works and the methods or tests employed to detect when maintenance is necessary;

(c) repair and maintenance programs, including the frequency of repair and maintenance for the Works;

(d) contingency plans and procedures for dealing with potential spill, bypasses and any other

abnormal situations and for notifying the District Manager;

(e) procedures for monitoring the inventory of oil systems pertaining to the sewage Works; and

(f) complaint procedures for receiving and responding to public complaints.

(2) The Owner shall maintain the operations manual up to date through revisions undertaken from time to time and retain a copy at the location of the Works. Upon request, the Owner shall make the manual available for inspection and copying by Ministry personnel.

(3) The Owner shall exercise due diligence in ensuring that, at all times, the Works and the related equipment and appurtenances used to achieve compliance with this Approval are properly operated and maintained. Proper operation and maintenance shall include effective performance, adequate funding, adequate operator staffing and training, including training in all procedures and other requirements of this Approval and the Act and regulations, adequate laboratory facilities, process controls and alarms and the use of process chemicals and other substances used in the Works.

(4) The Owner shall use best effort to identify and clean-up any spill or loss of any product, by product, intermediate product, oils, solvents, waste material or any other polluting substance into the environment, from the herein approved Works.

(5) The Owner shall, upon identification of any spill or loss of any product, by product, intermediate product, oils, solvents, waste material or any other polluting substance into the environment, from the herein approved Works, take appropriate action to prevent the further occurrence of such loss.

(6) In furtherance of, but without limiting the generality of, the obligation imposed by Subsection (3), the Owner shall ensure that equipment and material for the containment, clean-up and disposal of process materials are kept on hand and in good repair for immediate use in the event of a spill within the meaning of Part X of the EPA.

(7) The Owner shall maintain records of the results of inspections and maintenance operations undertaken, and shall keep the records at the location of the Works for inspection by the Ministry. The records shall include the following:

(a) the date and results of each inspection and maintenance operations;

(b) a description of any operating problems encountered and corrective actions taken;

(c) undertaken sampling and recording as required by this Approval; and

(d) in the event of a spill from the herein approved Works, the date of the spill, including follow-up actions/remedial measures undertaken.

4. CHANGES IN PROCESSES OR PROCESS MATERIALS

The Owner shall give written notice to the District Manager of any plans to change the processes or process materials in the Owner's enterprise serviced by the Works where the change may not significantly alter the quantity or quality of the influent to or effluent from the Works, and no such change(s) shall be made unless with the written concurrence or approval of the District Manager.

5. EFFLUENT LIMITS

(1) The Owner shall design, construct, operate and maintain the Works such that the parameters named below are not exceeded at the designated locations of the Works.

Table 1 - Effluent Limits		
Effluent Parameter	Location(s)	Limit
Column 1	Column 2	Column 3
Maximum Effluent Temperature	Queen Lagoon (Discharge point) Old Lagoon (Discharge point)	30 degrees Celsius
Maximum Temperature Change (Delta T)	Queen Lagoon (between inlet at pump house and discharge point) Old Lagoon (between inlet at pump house and discharge point)	10 degrees Celsius
Aluminium (Filtered and Unfiltered Samples)	Queen Lagoon (Queen Lagoon Sampling Station In-Line monitoring system at discharge) Old Lagoon (Discharge point)	0.7 milligrams per litre
Total Oil and Grease	Queen Lagoon (Queen Lagoon Sampling Station In-Line monitoring system at discharge) Old Lagoon (Old Lagoon Sampling in-line monitoring system at discharge)	1.0 milligrams per litre
Total Phosphorous	Queen Lagoon (Queen Lagoon Sampling Station In-Line monitoring system at discharge) Old Lagoon (Discharge point)	0.1 milligrams per litre
Total Suspended Solids	Queen Lagoon (Discharge point) Old Lagoon (Discharge point)	15 milligrams per litre above the concentration of suspended solids in the raw water
pH of the effluent at Queen Lagoon (Discharge point) & the Old Lagoon (Discharge point) maintained between 6.0 to 9.5, inclusive, at all times		

(2) For the purposes of determining compliance with and enforcing subsection (1), a non-compliance with respect to Maximum Effluent Temperature is deemed to have occurred when the arithmetic mean temperature of the on-line temperature measurements taken in a 24-hour period at the designated effluent discharge location is greater than the corresponding maximum temperature set out in Column

3 of subsection (1).

(3) For the purposes of determining compliance with and enforcing subsection (1), a non-compliance with respect to Maximum Temperature Change (Delta T) is deemed to have occurred when the difference between the arithmetic mean temperature of the on-line temperature measurements taken in a 24-hour period at a designated monitoring locations at Queen Lagoon (between inlet at pump house and discharge point) and Old Lagoon (between inlet at pump house and discharge point) is greater than the corresponding maximum temperature change set out in Column 3 of subsection (1).

(4) For the purposes of determining compliance with and enforcing subsection (1):

(i) a non-compliance with respect to Aluminium, and Total Suspended Solids is deemed to have occurred when the arithmetic mean of analytical results of monthly average sample is greater than the corresponding Aluminium, and Total Suspended Solids concentration set out in Column 3 of subsection (1).

(ii) a non-compliance with respect to Total Oil and Grease and Total Phosphorous is deemed to have occurred when any single grab sample analyzed for Total Oil and Grease and Total Phosphorous is greater than the corresponding concentration set out in Column 3 of subsection (1).

(5) The pH of the final effluents from the Works shall be maintained between 6.0 and 9.5 at all times. Non-compliance with respect to pH is deemed to have occurred when any single measurement is outside of the range indicated.

(6) The effluent limits outlined under subsection (1) shall come into effect upon the issuance of the Approval.

(7) The Owner shall report to the District Manager or designate, any exceedence of any parameter specified in Condition 6 orally, as soon as reasonably possible, and in writing within **seven (7) days** of the original notification.

6. EFFLUENT MONITORING AND RECORDING

The Owner shall, upon commencement of operation of the Works, carry out the following monitoring program:

(1) All samples and measurements taken for the purposes of this Approval are to be taken at a time and in a location characteristic of the quality and quantity of the effluent stream over the time period being monitored.

(2) Samples shall be collected and analyzed at the following sampling points, at the sampling frequencies, and using the sample type specified for each parameter listed:

Parameter	Sampling Location	Frequency	Sample Type
pH	Single Intake for all river water collected and sampled at Pump House located at 5511 Chippewa	Continuous	Grab

	Parkway, Niagara Falls, Ontario		
Temperature	Single Intake for all river water collected and sampled at Pump House located at 5511 Chippewa Parkway, Niagara Falls, Ontario	Continuous	On-line
Aluminium	Single Intake for all river water collected and sampled at Pump House located at 5511 Chippewa Parkway, Niagara Falls, Ontario	Weekly	Grab
Total Phosphorous	Single Intake for all river water collected and sampled at Pump House located at 5511 Chippewa Parkway, Niagara Falls, Ontario	Quarterly	Grab
Total Suspended Solids	Single Intake for all river water collected and sampled at Pump House located at 5511 Chippewa Parkway, Niagara Falls, Ontario	Daily	Grab
Total Oil and Grease	Single Intake for all river water collected and sampled at Pump House located at 5511 Chippewa Parkway, Niagara Falls, Ontario	Quarterly	Grab

(3) The methods and protocols for sampling, analysis, toxicity testing, and recording shall conform, in order of precedence, to the methods and protocols specified in the following:

(a) the Ministry's publication "Protocol for the Sampling and Analysis of Industrial/Municipal Wastewater" (August 1994), ISBN 0-7778-1880-9, as amended from time to time by more recently published editions; and

(b) the publication "Standard Methods for the Examination of Water and Wastewater" (21st edition) as amended from time to time by more recently published editions.

(4) A continuous flow measuring device(s) shall be installed and maintained to measure the flow rate of the effluent from the Works, with an accuracy to within plus or minus fifteen (15) per cent of the actual flow rate for the entire design range of the flow measuring device and the Owner shall measure, record and calculate the flow rate for each effluent stream on each day of sampling. The Owner will ensure appropriate maintenance and calibration procedures based on manufactures' requirements or

accepted equipment practices are performed to ensure the flow measurement device(s) meets the stated accuracy.

(5) A continuous temperature measuring device(s) shall be installed and maintained to measure the temperatures of effluent from the Works and cooling water intake at the designated monitoring locations, and the Owner shall measure, record and calculate the 24 hour arithmetic mean temperatures for each stream being monitored.

(6) The Owner shall retain for a minimum of **five (5) years** from the date of their creation, all records and information related to or resulting from the monitoring activities required by this Approval.

7. REPORTING

(1) The Owner shall report to the District Manager or designate, any exceedences of any parameter specified in Condition 5 orally, as soon as reasonably possible, and in writing within **seven (7) days** of the original notification.

(2) The Owner shall immediately notify the Ministry's Spills Action Centre and the District Manager of any Works failure or potential Works failure, including any spill as defined in Ontario Regulation 675/98

(3) In addition to the obligations under Part X of the EPA, the Owner shall sample and analyze for all parameters of concern any spill as defined in Ontario Regulation 675/98 , bypass or loss of any product, by product, intermediate product, oils, solvents, waste material or any other polluting substance into the environment, from the herein approved Works and report the results to the District Manager orally, as soon as reasonably possible, and submit a full written report of the occurrence to the District Manager as soon as reasonably possible describing the cause and discovery of the spill, bypass or loss, clean-up and recovery measures taken, preventive measures to be taken and their implementation schedule.

(4) The Owner shall prepare and submit a **performance report** to the District Manager on an annual basis within **ninety (90) days** following the end of the period being reported upon. The first such report shall cover the first annual period following the commencement of operation of the Works and subsequent reports shall be submitted to cover successive annual periods following thereafter. The reports shall contain, but shall not be limited to, the following information:

(a) a summary and interpretation of all monitoring data and a comparison to the effluent limits outlined in Condition 5, including an overview of the success and adequacy of the Works;

(b) a description of any operating problems encountered and corrective actions taken;

(c) a summary of all maintenance carried out on any major structure, equipment, apparatus, mechanism or thing forming part of the Works;

(d) results of regular monitoring and inventory of the oil systems pertaining to the sewage Works, including follow-up actions/remedial measures undertaken when required;

(e) a summary of any effluent quality assurance or control measures undertaken in the reporting period;

(f) a summary of the calibration and maintenance carried out on all effluent monitoring equipment; and

(g) any other information the District Manager requires from time to time.

Schedule 'A' forms part of this Approval and contains a list of supporting documentation / information received, reviewed and relied upon in the issuance of this Approval.

SCHEDULE 'A'

1. Application for the Approval of Industrial Sewage Works signed by Ms. Jody Young, Manager, Environmental Health & safety, Washington Mills Electro Minerals Corporation, dated January 30, 1997.
2. Letter from Mr. David Blain, Supervisor, Approvals and Compliance, R. V. Anderson Limited, Willowdale, Ontario, dated January 29, 1997.
3. Certificate of Approval number 4-078-80-967 dated January 24, 1996 and the associated documents.
4. Letter from Ms. Jody Young dated May 23, 1997, to MOE Approvals Branch.
5. Letter from Ms. Jody Young Dated June 9, 1997, to Mr. Bob Slattery, Area Supervisor, MOE, Niagara District Office.
6. Environmental Compliance Approval Application for Industrial Sewage Works submitted by Randall Secord, of AMEC Environment & Infrastructure, and signed by Jeff Perry, Plant Manager, of Washington Mills Electro Minerals Corporation, dated October 1, 2014, and all supporting documentation and information.
7. Environmental Compliance Approval Number **4-0078-80-978** , issued on **July 18, 1997** .

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

1. Condition 1 is imposed to ensure that the Works are built and operated in the manner in which they were described and upon which approval was granted. This condition is also included to emphasize the precedence of Conditions in the Approval and the practice that the Approval is based on the most current document, if several conflicting documents are submitted for review. Condition 1.(6) is included to emphasize that the issuance of this Approval does not diminish any other statutory and regulatory obligations to which the Owner is subject in the construction, maintenance and operation of the Works. The condition specifically highlights the need to obtain any necessary conservation authority approvals. The condition also emphasizes the fact that this Approval doesn't limit the authority of the Ministry to require further information.
2. Condition 2 is included to ensure that the Ministry records are kept accurate and current with respect to the approved works and to ensure that subsequent owners of the Works are made aware of the Approval and continue to operate the Works in compliance with it.
3. Condition 3 is included to ensure that a comprehensive operations manual governing all significant areas of operation, maintenance and repair is prepared, implemented and kept up-to-date by the Owner and made available to the Ministry. Such a manual is an integral part of the operation of the Works. Its compilation and use should assist the Owner in staff training, in proper plant operation and

in identifying and planning for contingencies during possible abnormal conditions. The manual will also act as a benchmark for Ministry staff when reviewing the Owner's operation of the Work.

Furthermore, Condition 3 is included to require that the Works be properly operated, maintained, funded, staffed and equipped such that the environment is protected and deterioration, loss, injury or damage to any person or property is prevented.

4. Condition 4 is included to ensure that the Works is operated in accordance with the information submitted by the Owner relating to the process and materials which are served by the Works, and to ensure that any contemplated changes in them which could potentially affect the characteristics of effluent from the Works will be properly reviewed and approved.

5. Condition 5 is imposed to ensure that the effluent discharged from the Works to Welland River meets the Ministry's effluent quality requirements thus minimizing environmental impact on the receiver.

6. Condition 6 is included to require the Owner to demonstrate on a continual basis that the quality and quantity of the effluent from the approved Works is consistent with the effluent limits specified in the Approval and that the approved Works does not cause any impairment to the receiving watercourse.

7. Condition 7 is included to provide a performance record for future references and to ensure that the Ministry is made aware of problems as they arise, so that the Ministry can work with the Owner in resolving the problems in a timely manner.

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 4-0078-80-978 issued on July 18, 1997.

In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me and the Environmental Review Tribunal within 15 days after receipt of this Notice, require a hearing by the Tribunal. Section 142 of the Environmental Protection Act provides that the Notice requiring the hearing shall state:

1. 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;
2. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

Pursuant to subsection 139(3) of the Environmental Protection Act, a hearing may not be required with respect to any terms and conditions in this environmental compliance approval, if the terms and conditions are substantially the same as those contained in an approval that is amended or revoked by this environmental compliance approval.

The Notice should also include:

3. The name of the appellant;
4. The address of the appellant;
5. The environmental compliance approval number;
6. The date of the environmental compliance approval;

7. The name of the Director, and;
8. 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 Director appointed for the
purposes of Part II.1 of the
Environmental Protection Act
Ministry of the Environment and
Climate Change
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) 212-6349, Fax: (416) 314-4506 or www.ert.gov.on.ca**

The above noted activity is approved under s.20.3 of Part II.1 of the Environmental Protection Act.

DATED AT TORONTO this 9th day of August, 2016

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

AA/

c: District Manager, MOECC Niagara District Office
Randall Secord, AMEC Environment & Infrastructure

Content Copy Of Original



Ministry of the Environment and Climate Change
Ministère de l'Environnement et de l'Action en matière de changement
climatique

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 2240-A3WMAC

Issue Date: January 6, 2016

Washington Mills Electro Minerals Corporation
7780 Stanley Avenue
Niagara Falls, Ontario
L2E 6V9

Site Location: 7780 Stanley Avenue
Niagara Falls City, Regional Municipality of Niagara
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:

Description Section

An abrasive grain and specialty electro-fused minerals manufacturing facility, consisting of the following processes and support units:

- briquetting operations;
- furnace operations;
- pouring and casting;
- crushing and screening;
- super sack/ paper bags packaging;
- dust collectors;
- natural gas fired comfort heating systems;

including the *Equipment* and any other ancillary and support processes and activities, operating at a *Facility Production Limit* of up to 90,718 tonnes of fused material per year, discharging to the air as described in the *Original ESDM Report*.

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

1. " *Acceptable Point of Impingement Concentration*" means a concentration accepted by the *Ministry* as not likely to cause an adverse effect for a *Compound of Concern* that,
 - (a) has no *Ministry Point of Impingement Limit* and no *Jurisdictional Screening Level*, or
 - (b) has a concentration at a *Point of Impingement* that exceeds the *Jurisdictional Screening Level*.

With respect to the *Original ESDM Report*, the *Acceptable Point of Impingement Concentration* for a *Compound of Concern* mentioned above is the concentration set out in the *Original ESDM Report*.

2. "*Acoustic Assessment Report*" means the report, prepared in accordance with *Publication NPC-233* and Appendix A of the *Basic Comprehensive User Guide*, by GHD Limited, dated November 16, 2015 and signed by Tim Wiens, submitted in support of the application, that documents all sources of noise emissions and *Noise Control Measures* present at the *Facility*, as updated in accordance with Condition 5 of this *Approval*.
3. "*Acoustic Assessment Summary Table*" means a table prepared in accordance with the *Basic Comprehensive User Guide* summarising the results of the *Acoustic Assessment Report*, as updated in accordance with Condition 5 of this *Approval*.
4. "*Acoustic Audit*" means an investigative procedure consisting of measurements and/or acoustic modelling of all sources of noise emissions due to the operation of the *Facility*, assessed to determine compliance with the Performance Limits for the *Facility* regarding noise emissions, completed in accordance with the procedures set in *Publication NPC-103* and reported in accordance with *Publication NPC-233*.
5. "*Acoustic Audit Report*" means a report presenting the results of an *Acoustic Audit*, prepared in accordance with *Publication NPC-233*.
6. "*Acoustical Consultant*" means a person currently active in the field of environmental acoustics and noise/vibration control, who is familiar with *Ministry* noise guidelines and procedures and has a combination of formal university education, training and experience necessary to assess noise emissions from a *Facility*.
7. "*Approval*" means this entire Environmental Compliance Approval and any *Schedules* to it.
8. "*Basic Comprehensive User Guide*" means the *Ministry* document titled "Basic Comprehensive Certificates of Approval (Air) User Guide" dated March 2011, as amended.
9. "*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*.
10. "*Company*" means Washington Mills Electro Minerals 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*.
11. "*Compound of Concern*" means a contaminant described in paragraph 4 subsection 26 (1) of *O. Reg. 419/05*; namely, a contaminant that is discharged from the *Facility* in an amount that is not negligible.
12. "*Description Section*" means the section on page one of this *Approval* describing the *Company's* operations and the *Equipment* located at the *Facility* and specifying the *Facility Production Limit* for the *Facility*.
13. "*Director*" means a person appointed for the purpose of section 20.3 of the *EPA* by the *Minister* pursuant to section 5 of the *EPA*.
14. "*District Manager*" means the District Manager of the appropriate local district office of the *Ministry*, where the *Facility* is geographically located.
15. "*Emission Summary Table*" means a table described in paragraph 14 of subsection 26 (1) of *O. Reg. 419/05*; namely a table in the *ESDM Report* that compares the *Point of Impingement* concentration for each *Compound of Concern* to the corresponding *Ministry Point of Impingement Limit*, *Acceptable Point of Impingement Concentration*, or *Jurisdictional Screening Level*.
16. "*Environmental Assessment Act*" means the Environmental Assessment Act, R.S.O. 1990, c.E.18, as amended.

17. "*EPA*" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended.
18. "*Equipment*" means equipment or processes described in the *ESDM Report*, this *Approval* and in the *Schedules* referred to herein and any other equipment or processes.
19. "*Equipment with Specific Operational Limits*" means any *Equipment* related to the thermal oxidation of waste or waste derived fuels, fume incinerators or any other *Equipment* that is specifically referenced in any published *Ministry* document that outlines specific operational guidance that must be considered by the *Director* in issuing an *Approval*.
20. "*ESDM Report*" means the most current Emission Summary and Dispersion Modelling Report that describes the *Facility*. The *ESDM Report* is based on the *Original ESDM Report* and is updated after the issuance of this *Approval* in accordance with section 26 of *O. Reg. 419/05* and the *Procedure Document*.
21. "*Facility*" means the entire operation located on the property where the *Equipment* is located.
22. "*Facility Production Limit*" means the production limit placed by the *Director* on the main product(s) or raw materials used by the *Facility*.
23. "*Independent Acoustical Consultant*" means an *Acoustical Consultant* who is not representing the *Company* and was not involved in preparing the *Acoustic Assessment Report* or the design/implementation of *Noise Control Measures* for the *Facility* and/or *Equipment*. The *Independent Acoustical Consultant* shall not be retained by the *Acoustical Consultant* involved in the noise impact assessment or the design/implementation of *Noise Control Measures* for the *Facility* and/or *Equipment*.
24. "*Jurisdictional Screening Level*" means a screening level for a *Compound of Concern* that is listed in the *Ministry* publication titled "Jurisdictional Screening Level (JSL) List, A Screening Tool for Ontario Regulation 419: Air Pollution - Local Air Quality", dated February 2008, as amended.
25. "*Log*" means a document that contains a record of each change that is required to be made to the *ESDM Report* and *Acoustic Assessment Report*, including the date on which the change occurred.
For example, a record would have to be made of a more accurate emission rate for a source of contaminant, more accurate meteorological data, a more accurate value of a parameter that is related to a source of contaminant, a change to a *Point of Impingement* and all changes to information associated with a *Modification* to the *Facility* that satisfies Condition 2.
26. "*Minister*" means the Minister of the Environment and Climate Change or such other member of the Executive Council as may be assigned the administration of the *EPA* under the Executive Council Act.
27. "*Ministry*" means the ministry of the *Minister*.
28. "*Ministry Point of Impingement Limit*" means the applicable Standard set out in Schedule 2 or 3 of *O. Reg. 419/05* or a limit set out in the *Ministry* publication titled "Summary of Standards and Guidelines to support Ontario Regulation 419/05: Air Pollution - Local Air Quality (including Schedule 6 of *O. Reg. 419/05* on Upper Risk Thresholds", dated April 2012, as amended.
29. "*Modification*" means any construction, alteration, extension or replacement of any plant, structure, equipment, apparatus, mechanism or thing, or alteration of a process or rate of production at the *Facility* that may discharge or alter the rate or manner of discharge of a *Compound of Concern* to the air or discharge or alter noise or vibration emissions from the *Facility*.
30. "*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. It also means the noise control measures detailed in the *Acoustic Assessment Report*.

31. "O. Reg. 419/05" means Ontario Regulation 419/05, Air Pollution – Local Air Quality, as amended.
32. "Original ESDM Report" means the Emission Summary and Dispersion Modelling Report which was prepared in accordance with section 26 of O. Reg. 419/05 and the *Procedure Document* by Conestoga- Rovers & Associates Ltd. and dated December 2014, submitted in support of the application, and includes any changes to the report made up to the date of issuance of this *Approval*.
33. "Point of Impingement" has the same meaning as in section 2 of O. Reg. 419/05.
34. "Point of Reception" means Point of Reception as defined by *Publication NPC-300*.
35. "Procedure Document" means *Ministry* guidance document titled "Procedure for Preparing an Emission Summary and Dispersion Modelling Report" dated March 2009, as amended.
36. "Processes with Significant Environmental Aspects" means the *Equipment* which, during regular operation, would discharge one or more contaminants into the air in an amount which is not considered as negligible in accordance with section 26 (1) 4 of O. Reg. 419/05 and the *Procedure Document*.
37. "Publication NPC-103" means the *Ministry* Publication NPC-103 of the Model Municipal Noise Control By-Law, Final Report, August 1978, published by the *Ministry* as amended.
38. "Publication NPC-207" means the *Ministry* draft technical publication "Impulse Vibration in Residential Buildings", November 1983, supplementing the Model Municipal Noise Control By-Law, Final Report, published by the *Ministry*, August 1978, as amended.
39. "Publication NPC-233" means the *Ministry* Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October, 1995, as amended.
40. "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.
41. "Schedules" means the following schedules attached to this *Approval* and forming part of this *Approval* namely:

Schedule A - Supporting Documentation

42. "Toxicologist" means a qualified professional currently active in the field of risk assessment and toxicology that has a combination of formal university education, training and experience necessary to assess contaminants.
43. "Written Summary Form" means the electronic questionnaire form, available on the *Ministry* website, and supporting documentation, that documents the activities undertaken at the *Facility* in the previous calendar year.

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. GENERAL

1.1 Except as otherwise provided by this *Approval*, the *Facility* shall be designed, developed, built, operated and maintained in accordance with the terms and conditions of this *Approval* and in accordance with the following *Schedules* attached hereto:

2. LIMITED OPERATIONAL FLEXIBILITY

2.1 Pursuant to section 20.6 (1) of the *EPA* and subject to Conditions 2.2 and 2.3 of this *Approval*, future construction, alterations, extensions or replacements are approved in this *Approval* if the future construction, alterations, extensions or replacements are *Modifications* to the *Facility* that:

- (a) are within the scope of the operations of the *Facility* as described in the *Description Section* of this *Approval*;
- (b) do not result in an increase of the *Facility Production Limit* above the level specified in the *Description Section* of this *Approval*; and
- (c) result in compliance with the performance limits as specified in Condition 4.

2.2 Condition 2.1 does not apply to,

- (a) the addition of any new *Equipment with Specific Operational Limits* or to the *Modification* of any existing *Equipment with Specific Operational Limits* at the *Facility*; or
- (b) *Modifications* to the *Facility* that would be subject to the *Environmental Assessment Act*.

2.3 Condition 2.1 of this *Approval* shall expire ten (10) years from the date of this *Approval*, unless this *Approval* is revoked prior to the expiry date. The *Company* may apply for renewal of Condition 2.1 of this *Approval* by including an *ESDM Report* and an *Acoustic Assessment Report* that describes the *Facility* as of the date of the renewal application.

3. REQUIREMENT TO REQUEST AN ACCEPTABLE POINT OF IMPINGEMENT CONCENTRATION

3.1 Prior to making a *Modification* to the *Facility* that satisfies Condition 2.1 (a) and (b), the *Company* shall prepare a proposed update to the *ESDM Report* to reflect the proposed *Modification*.

3.2 The *Company* shall request approval of an *Acceptable Point of Impingement Concentration* for a *Compound of Concern* if the *Compound of Concern* does not have a *Ministry Point of Impingement Limit* and a proposed update to an *ESDM Report* indicates that one of the following changes with respect to the concentration of the *Compound of Concern* may occur:

(a) The *Compound of Concern* was not a *Compound of Concern* in the previous version of the *ESDM Report* and

- (i) the concentration of the *Compound of Concern* is higher than the *Jurisdictional Screening Level* for the contaminant; or
- (ii) there is no *Jurisdictional Screening Level* for the contaminant .

(b) The concentration of the *Compound of Concern* in the updated *ESDM Report* is higher than:

- (i) the most recent *Acceptable Point of Impingement Concentration*, and
- (ii) the *Jurisdictional Screening Level* if a *Jurisdictional Screening Level* exists.

3.3 The request required by Condition 3.2 shall propose a concentration for the *Compound of Concern* and shall contain an assessment, performed by a *Toxicologist*, of the likelihood of the proposed concentration causing an adverse effect at *Points of Impingement*.

3.4 If the request required by Condition 3.2 is a result of a proposed *Modification* described in Condition 3.1, the *Company* shall submit the request, in writing, to the *Director* at least 30 days prior to commencing to make the *Modification*. The *Director* shall provide written confirmation of receipt of this request to the *Company*.

3.5 If a request is required to be made under Condition 3.2 in respect of a proposed *Modification* described in Condition 3.1, the *Company* shall not make the *Modification* mentioned in Condition 3.1 unless the request is approved in writing by the *Director*.

3.6 If the *Director* notifies the *Company* in writing that the *Director* does not approve the request, the *Company* shall,

(a) revise and resubmit the request; or

(b) notify the *Director* that it will not be making the *Modification*.

3.7 The re-submission mentioned in Condition 3.6 shall be deemed a new submission under Condition 3.2.

3.8 If the *Director* approves the request, the *Company* shall update the *ESDM Report* to reflect the *Modification*.

3.9 Condition 3 does not apply if Condition 2.1 has expired.

4. PERFORMANCE LIMITS

4.1. Subject to Condition 4.2, the *Company* shall not discharge or cause or permit the discharge of a *Compound of Concern* into the air if,

(a) the *Compound of Concern* has a *Ministry Point of Impingement Limit* and the discharge results in the concentration at a *Point of Impingement* exceeding the *Ministry Point of Impingement Limit*; or

(b) the *Compound of Concern* does not have a *Ministry Point of Impingement Limit* and the discharge results in the concentration at a *Point of Impingement* exceeding the higher of,

(i) if an *Acceptable Point of Impingement Concentration* exists the most recent *Acceptable Point of Impingement Concentration*, and

(ii) the *Jurisdictional Screening Level* if a *Jurisdictional Screening Level* exists.

4.2 Condition 4.1 does not apply if the *Ministry Point of Impingement Limit* has a 10-minute averaging period and no ambient monitor indicates an exceedance at a *Point of Impingement* where human activities regularly occur at a time when those activities regularly occur.

4.3 The *Company* shall:

(a) implement by not later than thirty (30) months from the date of this *Approval*, the *Noise Control Measures* as outlined in the *Acoustic Assessment Report*;

(b) ensure, subsequent to the implementation of the proposed *Noise Control Measures* that the noise emissions from the *Facility* comply with the limits set in *Ministry Publication NPC-300*; and

(c) ensure that the *Noise Control Measures* are properly maintained and continue to provide the acoustical performance outlined in the *Acoustic Assessment Report*.

4.4 The *Company* shall ensure that the vibration emissions from the *Facility* comply with the limits set out in *Ministry Publication NPC-207*.

4.5 The *Company* shall operate any *Equipment with Specific Operational Limits* approved by this

Approval in accordance with the *Original ESDM Report* and Conditions in this *Approval*.

5. DOCUMENTATION REQUIREMENTS

5.1. The *Company* shall maintain an up-to-date *Log*.

5.2. No later than March 31 in each year, the *Company* shall update the *Acoustic Assessment Report* and shall update the *ESDM Report* in accordance with section 26 of *O. Reg. 419/05* so that the information in the reports is accurate as of December 31 in the previous year.

5.3. The *Company* shall make the *Emission Summary Table* (see section 27 of *O. Reg. 419/05*) and *Acoustic Assessment Summary Table* available for examination by any person, without charge, by posting it on the Internet or by making it available during regular business hours at the *Facility*.

5.4 The *Company* shall, within three (3) months after the expiry of Condition 2.1 of this *Approval*, update the *ESDM Report* and the *Acoustic Assessment Report* such that the information in the reports is accurate as of the date that Condition 2.1 of this *Approval* expired.

5.5. Conditions 5.1 and 5.2 do not apply if Condition 2.1 has expired.

6. REPORTING REQUIREMENTS

6.1 Subject to Condition 6.2, the *Company* shall provide the *Director* no later than June 30 of each year, a *Written Summary Form* to be submitted through the *Ministry's* website that shall include the following:

(a) a declaration of whether the *Facility* was in compliance with section 9 of the *EPA, O. Reg. 419/05* and the conditions of this *Approval*;

(b) a summary of each *Modification* satisfying Condition 2.1 (a) and (b) that took place in the previous calendar year that resulted in a change in the previously calculated concentration at a *Point of Impingement* for any *Compound of Concern* or resulted in a change in the sound levels reported in the *Acoustic Assessment Summary Table* at any *Point of Reception*.

6.2 Condition 6.1 does not apply if Condition 2.1 has expired.

7. OPERATION AND MAINTENANCE

7.1 The *Company* shall prepare and implement, not later than three (3) months from the date of this *Approval*, operating procedures and maintenance programs for all *Processes with Significant Environmental Aspects*, which shall specify as a minimum:

(a) frequency of inspections and scheduled preventative maintenance;

(b) procedures to prevent upset conditions;

(c) procedures to minimize all fugitive emissions;

(d) procedures to prevent and/or minimize odorous emissions;

(e) procedures to prevent and/or minimize noise emissions; and

(f) procedures for record keeping activities relating to the operation and maintenance programs.

7.2 The *Company* shall ensure that all *Processes with Significant Environmental Aspects* are operated and maintained in accordance with this *Approval*, the operating procedures and maintenance programs.

8. COMPLAINTS RECORDING AND REPORTING

8.1 If at any time, the *Company* receives an environmental complaint from the public regarding the operation of the *Equipment* approved by this *Approval*, the *Company* shall take the following steps:

(a) Record and number each complaint, either electronically or in a log book. The record shall include the following information: the time and date of the complaint and incident to which the complaint relates, the nature of the complaint, wind direction at the time and date of the incident to which the complaint relates and, if known, the address of the complainant.

(b) Notify the *District Manager* of the complaint within two (2) business days after the complaint is received, or in a manner acceptable to the *District Manager*.

(c) Initiate appropriate steps to determine all possible causes of the complaint, and take the necessary actions to appropriately deal with the cause of the subject matter of the complaint.

(d) Complete and retain on-site a report written within one (1) week of the complaint date. The report shall list the actions taken to appropriately deal with the cause of the complaint and set out steps to be taken to avoid the recurrence of similar incidents.

9. RECORD KEEPING REQUIREMENTS

9.1 Any information requested by any employee in or agent of the *Ministry* concerning the *Facility* and its operation under this *Approval*, including, but not limited to, any records required to be kept by this *Approval*, shall be provided to the employee in or agent of the *Ministry*, upon request, in a timely manner.

9.2 Unless otherwise specified in this *Approval*, the *Company* shall retain, for a minimum of five (5) years from the date of their creation all reports, records and information described in this *Approval*, including,

(a) a copy of the *Original ESDM Report* and each updated version;

(b) a copy of each version of the *Acoustic Assessment Report*;

(c) supporting information used in the emission rate calculations performed in the *ESDM Reports* and *Acoustic Assessment Reports*;

(d) the records in the *Log*;

(e) copies of each *Written Summary Form* provided to the *Ministry* under Condition 6.1 of this *Approval*;

(f) records of maintenance, repair and inspection of *Equipment* related to all *Processes with Significant Environmental Aspects*; and

(g) all records related to environmental complaints made by the public as required by Condition 8 of this *Approval*.

10. REVOCATION OF PREVIOUS APPROVALS

This *Approval* replaces and revokes all Certificates of Approval (Air) issued under section 9 *EPA* and Environmental Compliance Approvals issued under Part II.1 *EPA* to the *Facility* in regards to the activities mentioned in subsection 9(1) of the *EPA* and dated prior to the date of this *Approval*.

11. FUGITIVE DUST CONTROL

11.1 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*.

11.2 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.

12. ACOUSTIC AUDIT

12.1 The *Company* shall carry out *Acoustic Audit* measurements on the actual noise emissions due to the operation of the *Facility*. The *Company* :

(a) shall carry out *Acoustic Audit* measurements in accordance with the procedures in *Publication NPC-103*;

(b) shall submit an *Acoustic Audit Report* on the results of the *Acoustic Audit* , prepared by an *Independent Acoustical Consultant* , in accordance with the requirements of *Publication NPC-233*, to the *District Manager* and the *Director* , not later than three (3) months after the full implementation of the *Noise Control Measures*.

12.2 The *Director* :

(a) may not accept the results of the *Acoustic Audit* if the requirements of *Publication NPC-233* were not followed;

(b) may require the *Company* to repeat the *Acoustic Audit* if the results of the *Acoustic Audit* are found unacceptable to the *Director*.

SCHEDULE A

Supporting Documentation

(a) Application for Environmental Compliance Approval (Air & Noise), dated November 24, 2014, signed by Kirk Hartog, Environmental Health & Safety Manager and submitted by the *Company*;

(b) Emission Summary and Dispersion Modelling Report, prepared by Conestoga- Rovers & Associates Ltd. and dated December 2014;

(c) Acoustic Assessment Report, prepared by GHD Limited and dated November 2015.

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

GENERAL

1. Condition No. 1 is included to require the *Approval* holder to build, operate and maintain the *Facility* in accordance with the Supporting Documentation in Schedule A considered by the *Director* in issuing this *Approval*.

LIMITED OPERATIONAL FLEXIBILITY, REQUIREMENT TO REQUEST AN ACCEPTABLE

POINT OF IMPINGEMENT CONCENTRATION AND PERFORMANCE LIMITS

2. Conditions No. 2, 3 and 4 are included to limit and define the *Modifications* permitted by this *Approval*, and to set out the circumstances in which the *Company* shall request approval of an *Acceptable Point of Impingement Concentration* prior to making *Modifications*. The holder of the *Approval* is approved for operational flexibility for the *Facility* that is consistent with the description of the operations included with the application up to the *Facility Production Limit*. In return for the operational flexibility, the *Approval* places performance based limits that cannot be exceeded under the terms of this *Approval*. *Approval* holders will still have to obtain other relevant approvals required to operate the *Facility*, including requirements under other environmental legislation such as the *Environmental Assessment Act*.

DOCUMENTATION REQUIREMENTS

3. Condition No. 5 is included to require the *Company* to maintain ongoing documentation that demonstrates compliance with the *Performance Limits* of this *Approval* and allows the *Ministry* to monitor on-going compliance with these *Performance Limits*. The *Company* is required to have an up to date *ESDM Report* and *Acoustic Assessment Report* that describe the *Facility* at all times and make the *Emission Summary Table* and *Acoustic Assessment Summary Table* from these reports available to the public on an ongoing basis in order to maintain public communication with regard to the emissions from the *Facility*.

REPORTING REQUIREMENTS

4. Condition No. 6 is included to require the *Company* to provide a yearly *Written Summary Form* to the *Ministry*, to assist the *Ministry* with the review of the site's compliance with the *EPA*, the regulations and this *Approval*.

OPERATION AND MAINTENANCE

5. Condition No. 7 is included to require the *Company* to properly operate and maintain the *Processes with Significant Environmental Aspects* to minimize the impact to the environment from these processes.

COMPLAINTS RECORDING AND REPORTING PROCEDURE

6. Condition No. 8 is included to require the *Company* to respond to any environmental complaints regarding the operation of the *Equipment*, according to a procedure that includes methods for preventing recurrence of similar incidents and a requirement to prepare and retain a written report.

RECORD KEEPING REQUIREMENTS

7. Condition No. 9 is included to require the *Company* to retain all documentation related to this *Approval* and provide access to employees in or agents of the *Ministry*, upon request, so that the *Ministry* can determine if a more detailed review of compliance with the *Performance Limits* is necessary.

REVOCAION OF PREVIOUS APPROVALS

8. Condition No. 10 is included to identify that this *Approval* replaces all Section 9 Certificate(s) of Approval and Part II.1 Approvals in regards to the activities mentioned in subsection 9(1) of the *EPA* and dated prior to the date of this *Approval*.

FUGITIVE DUST CONTROL

9. Condition No. 11 is included to require the *Company* to control the fugitive dust emissions from the *Facility* operations in order to minimize the impact to the environment from these operations.

ACOUSTIC AUDIT

10. Condition No. 12 is included to require the *Company* to gather accurate information and submit an *Acoustic Audit Report* in accordance with procedures set in the *Ministry*'s noise guidelines, so that the environmental impact and subsequent compliance with 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, S.O. 1993, c. 28 (Environmental Bill of Rights), 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 environmental compliance approval or each term or condition in the environmental compliance 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 environmental compliance approval number;

6. The date of the environmental compliance approval;
7. The name of the Director, and;
8. 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 Environmental Commissioner 1075 Bay Street, Suite 605 Toronto, Ontario M5S 2B1	AND	The Director appointed for the purposes of Part II.1 of the Environmental Protection Act Ministry of the Environment and Climate Change 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 6th day of January, 2016

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

JL/
c: District Manager, MOECC Niagara
Kaitlin Raheb/Tim Wiens, Conestoga- Rovers & Associates Ltd.



Ministry of the Environment, Conservation and Parks
Operations Division

Confirmation of Registration

Registration Number: R-010-5111971633

Version Number: 001

Date Registration Filed: Jan 30, 2020 13:15:12 PM

Dear Sir/Madam,

MYER SALIT LIMITED

7771 Stanley Avenue (av)
PO BOX 837 STN MAIN
NIAGARA FALLS ON L2E 6V6

You have registered, in accordance with Section 20.21(1) (a) of the *Environmental Protection Act*, the use, operation, construction, alteration, extension or replacement of any plant, structure, equipment, apparatus, mechanism or thing that is located at the facility noted below, or the alteration of a process or rate of production at the facility, including the activities set out in schedule 'A'.

7771 Stanley Avenue (av) Niagara Falls ON L2E 6V6

Please note that the facility noted above is subject to the applicable provisions of O. Reg. 245/11, and O. Reg.1/17.

The activity related information provided during the registration process is included as part of the confirmation of registration as schedule 'A'.

Dated on Jan 30, 2020

Director
Environmental Approvals Access and Service Integration Branch
Ministry of the Environment, Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto ON M4V 1P5

Any questions related to this registration and the Environmental Activity and the Sector Registry should be directed to:

Ministry of the Environment, Conservation and Parks
Customer Service Representative
Environmental Approvals Access and Service Integration Branch
Phone:(416) 314-8001
Toll free: 1-800-461-6290

Schedule 'A'

Part 3 - Activity Information

3.1 Industry Eligibility Check

- a. Please select the facility's primary North American Industry Classification System (NAICS) code. 416210
- b. Does the facility have any other applicable NAICS codes? Yes No
- b. i. If yes, please select the facility's secondary NAICS code(s), and confirm any other applicable NAICS code(s).
- c. Are you engaged in an activity at the facility that may discharge or from which may be discharged a contaminant into any part of the natural environment other than water? Yes No
- d. Is the activity exempt from requiring an Environmental Compliance Approval (ECA) under section 9 (1) of the Environmental Protection Act (EPA) other than an activity that has been prescribed by an EASR regulation under Part II.2 of the Act? Yes No
- e. Are the only activities engaged in at the facility, other than activities described in question 3.1d above, prescribed under a single other EASR regulation? Yes No
- f. Is an alternative low-carbon fuel site within the meaning of Ontario Regulation (O. Reg.) 79/15 (Alternative Low-Carbon Fuels) operated at the facility? Yes No
- g. Is the activity a renewable energy project as defined in the EPA? Yes No
- h. Is an end-of-life vehicle waste disposal site within the meaning of O. Reg. 85/16 operated at the facility? Yes No

3.2 Facility Related Information

- a. Has a site-specific air standard ever been set for a contaminant discharged from the facility? (section 35 of O. Reg. 419/05 (Air Pollution -- Local Air Quality)) Yes No
- b. Has a person ever been registered in the Ministry's Technical Standards Registry – Air Pollution under section 39 of O. Reg. 419/05 (Air Pollution – Local Air Quality) in respect of the facility? Yes No
- c. Do all of the activities to be registered occur exclusively at the site?
Please Note: Discrete activities that involve the use of equipment that is intended to be moved from one site to another to perform the same function (such as the use of mobile rock crushing equipment or mobile PCB destruction equipment) are not prescribed for the purpose of the Environmental Activity and Sector Registry, and an Environmental Compliance Approval may be required. Yes No
- d. Is the facility located on a property that has been deemed a single property under subsection 4 (2) of O. Reg. 419/05? Yes No
- e. Is the facility located in an area of development control within the Niagara Escarpment Planning Area? Yes No
- e. i. If yes, has a development permit required under section 24 of the Niagara Escarpment Planning and Development Act (NEPDA) in respect of the facility been issued? Yes No
- f. Is there a landfilling site that is no longer permitted to accept waste for disposal located on the site on which the facility is located? Yes No
- g. Is the activity part of an undertaking to which the Environmental Assessment Act applies? Yes No
- g. i. If yes, is one or more of the following conditions met:
- All class EA requirements have been completed, including decisions on any Part II order requests; OR
- The facility has received approval to proceed with the undertaking. Yes No

h. Please provide a description of the facility. The description should include a summary of operations and activities at the facility that discharge contaminants, as well as what is produced, if applicable.

The facility primarily receives carbon steel in the form of beams, plates or rebar. The Facility employs several techniques to manipulate the steel to the meet customer specified length and/or shape including shearing, band saw cutting, hydraulic bending, oxy-propane metal cutting, and plasma metal cutting. The product is then shipped to the customer. No plasma metal cutting, or oxy-propane metal cutting occurs outdoors. No metal products are manufactured on-site.

i. Please enter the date on which the facility commenced or will commence operations.

1905-01-02

j. Is the facility located in a multi-tenant building?

Yes No

3.3 Activity Related Information

a. Does the land disposal of waste as defined in Regulation 347 General – Waste Management occur at the facility?

Yes No

b. Does the facility process or dispose of waste by way of thermal treatment, other than the thermal treatment of wood fuel that meets the specifications in Chapter 5 of the EASR publication in a wood-fired combustor?

Yes No

c. Does the facility use a wood-fired combustor?

Yes No

c. i. If yes, does the wood-fired combustor have a nominal load heat input capacity of less than 3 megawatts?

Yes No

c. ii. If yes, was the wood-fired combustor installed at the facility on or after January 31, 2017?

Yes No

c. iii. If yes, does the wood-fired combustor exclusively use one or more of the following as fuel:

- Wood chips that meet the specifications set out in Chapter 5 of the EASR publication.
- Wood briquettes that meet the specifications set out in Chapter 5 of the EASR publication.
- Wood pellets that meet the specifications set out in Chapter 5 of the EASR publication.

Yes No

d. Does the facility have any plating processes that use cadmium, cyanide, chromium or nickel, including chrome plating, electroplating or electroless plating?

Yes No

e. Is an electrolytic stripping process that removes cadmium, chromium or nickel from an object used at the facility?

Yes No

f. Are metals processed outdoors at the facility, including torching, shearing, shredding or plasma cutting, other than for the purpose of routine maintenance carried out at the facility on any plant, structure, equipment, apparatus or thing?

Yes No

g. Is a fossil-fuel electric power generation facility with a maximum electrical power output capacity equal to or greater than 25 megawatts operated at the facility?

Yes No

h. Is a combustion source that uses biogas, biomass, coal, petroleum coke or waste as a fuel, or that uses a fuel derived from biogas, biomass, coal, petroleum coke or waste other than a small wood-fired combustor operated at the facility?

Yes No

i. Is a combustion turbine used at the facility?

Yes No

Part 4 - Operational Information

4.1 Air

a. Does the EASR Emission Summary and Dispersion Modelling (ESDM) Report provide for modifications that have not yet been implemented at the facility? Yes No

a. i. If yes, please provide the date on which the modifications will be completed.

b. Has an instrument under O. Reg. 419/05 been issued in respect of the facility? Yes No

b. i. If yes, what type(s) of instruments (including any notices, orders or approvals) has (have) been issued? (select all that apply)

ss. 7(1) Specified Dispersion Models

ss. 8(2) Negligible Sources

ss. 10(2) Operating Conditions

ss. 11(2) Refined Emission Rates

ss. 13.1 Value of Dispersion Modelling Parameters

ss. 13(1) Meteorological Data

ss. 14(6) Area of Modelling Coverage

ss. 20(5) Speed-up Order

Other

List all that have been issued

c. To what standard did the licensed engineering practitioner assess compliance of the facility's emissions (please select the applicable box(es)):

Section 19 of O. Reg. 419/05 (Schedule 2)

Section 20 of O. Reg. 419/05 (Schedule 3)

N/A – The amount of any contaminant discharged from the site is negligible

N/A – Source(s) discharge only sound as a contaminant

N/A – Source(s) discharge sound as a contaminant and the amount of any other contaminant discharged is negligible

d. Please select all applicable boxes that apply to a discharge of a contaminant(s) to air from the facility:

Contaminant(s) belonging to Benchmark 1 category of ACB list is at or below the concentration for each specified averaging period set out for the contaminant

Contaminant(s) belonging to Benchmark 2 category of ACB list is at or below the concentration for each specified averaging period set out for the contaminant

Contaminant(s) belonging to Benchmark 2 category of ACB list is above the concentration for a specified averaging period set out for the contaminant

The concentration of the contaminant(s) does not have a Ministry standard, guideline, or screening level set out for the contaminant

N/A – The amount of any contaminant discharged from the site is negligible

N/A – Source(s) discharge only sound as a contaminant

N/A – Source(s) discharge sound as a contaminant and the amount of any other contaminant discharged is negligible

e. Does the facility operate a generator for non-emergency purposes? Yes No

f. Does the facility use or operate a large boiler or heater greater than 10.5 gigajoules per hour? Yes No

g. Will an Emissions Summary Table be uploaded? Yes No
Please Note: An Emissions Summary Table is required to be uploaded at the time of registration. An Emissions Summary Table is also required to be uploaded if any modifications to the facility require an update to the EASR ESDM. Additionally, as part of the 10 year review required by O. Reg. 1/17, an updated Emissions Summary Table is required to be uploaded.

h. Please provide the Name(s) and Licence Number(s) of the Licensed Engineering Practitioner(s) that signed and sealed the EASR ESDM Report and made statements in the EASR ESDM Report Supplement and the date signed.

First Name	Last Name	Licence Number(s)	Date Signed
Xiaoxi	Song	100117725	2020-01-22

4.2 Fugitive Dust Control

a. Does the EASR ESDM Report prepared for the facility identify a source of fugitive dust? Yes No

a. i. If yes, has a licensed engineering practitioner signed and sealed a Best Management Practice Plan (BMPP) for fugitive dust control? Yes No

b. Has a BMPP for fugitive dust control been prepared as a result of a written notice from the Director issued under O. Reg. 1/17? Yes No

c. Please provide the Name(s) and Licence Number(s) of the Licensed Engineering Practitioner(s) that signed and sealed the BMPP for fugitive dust control and the date signed and sealed.

First Name	Last Name	Licence Number(s)	Date Signed
------------	-----------	-------------------	-------------

4.3 Noise

a. Please select the noise assessment method that was completed for the facility:

The facility meets the 1000m setback distance

Primary Noise Screening Method

Secondary Noise Screening Method

Acoustic Assessment Report

a. i. If the Primary Noise Screening Method was used, is the actual separation distance from the facility to the closest Point of Noise Reception equal to or greater than the minimum separation distance as determined by the Primary Noise Screening Method? Yes No

a. ii. If the Secondary Noise Screening Method was used, is the combined sound level from the facility at each affected Point of Noise Reception as determined by the Secondary Noise Screening Method less than or equal to the applicable sound level limit set out in Chapter 3 of the EASR publication? Yes No

a. iii. If an acoustic assessment was completed, did the acoustic assessment determine that the combined sound level from the facility at each affected Point of Noise Reception less than or equal to of the applicable sound level limit set out in Chapter 3 of the EASR publication? Yes No

a. iii. a) If no, has a Noise Abatement Action Plan been developed for the facility? Yes No

a. iii. b) If yes, please provide the title of the Noise Abatement Action Plan and the date it was prepared.

Name of NAAP	Date Prepared
Noise Abatement Action Plan	2019-12-19

b. Has an Acoustic Audit Report been prepared as a result of a written notice from the Director? Yes No

b. i. If yes, please provide the Name(s) and Licence Number(s) of the Licensed Engineering Practitioner(s) that signed and sealed the acoustic audit report, and the date signed and sealed.

First Name	Last Name	Licence Number(s)	Date Signed

c. Will an Acoustic Assessment Summary Table be uploaded? Yes No

Please Note: An Acoustic Assessment Summary Table is required to be uploaded at the time of registration if an Acoustic Assessment was completed for the facility. An Acoustic Assessment Summary Table is also required to be uploaded if any modifications to the facility require an update to the facility's noise report. Additionally, as part of the 10 year review required by O. Reg. 1/17, an updated Acoustic Assessment Summary Table is required to be uploaded.

d. Please provide the Name(s) and Licence Number(s) of the Licensed Engineering Practitioner(s) that signed and sealed the noise report, and the date signed and sealed.

First Name	Last Name	Licence Number(s)	Date Signed
Rob	Stevens	90394032	2019-12-19

4.4 Odour

a. Did the Odour Screening Report indicate that a circumstance which requires a BMPP for odour to be prepared exists at the facility? Yes No

b. Did the Odour Screening Report indicate that a circumstance which requires an Odour Control Report (OCR) to be prepared exists at the facility? Yes No

b. i. If yes, please provide the Name(s) and Licence Number(s) of the Licensed Engineering Practitioner(s) that signed and sealed the Odour Control Report and the date signed and sealed.

First Name	Last Name	Licence Number(s)	Date Signed

c. Has a BMPP for odour been prepared as a result of a written notice from the Director issued under O. Reg. 1/17? Yes No

d. Please provide the Name(s) and Licence Number(s) of the Licensed Engineering Practitioner(s) that signed and sealed the BMPP for odour and the date signed and sealed.

First Name	Last Name	Licence Number(s)	Date Signed