

April 10, 2024

Darryl Hagman

Sr. Environmental Officer
Drinking Water and Environmental Compliance Division
Hamilton District Office
Ontario Ministry of the Environment, Conservation and Parks
119 King Street West, Hamilton, ON, L8P 4Y7

Subject: Notification Under Subsection 30 – Benzene Monitored Concentration

Rain Carbon Canada Inc. (Rain Carbon) is notifying the Ontario Ministry of the Environment, Conservation and Parks (MECP) through this letter and the attached Notification Form of a near-to-fenceline monitored benzene concentration that had potential to be a Schedule 6 Upper Risk Threshold exceedance. On March 19, 2024 a benzene concentration of 107 µg/m³ was monitored at the East monitor. Rain Carbon confirmed this monitored concentration on April 9, 2024.

The Facility is currently approved under ECA Number 7313-8KEN49 issued August 8, 2011, including ECA Notice No.1 which was issued on November 17, 2022.

Rain Carbon submitted a Site-Specific Standard Renewal Application for benzene in accordance with Director's Order No. 1-134982315. As part of this application, Rain Carbon submitted Emission Summary and Dispersion Report V7.2 on May 1, 2023. Rain Carbon also submitted ESDM V7.3 on March 21, 2024.

Rain Carbon is continuing to implement its Abatement Plan with the goal of reducing benzene emissions while awaiting the processing of the SSS Renewal Application which includes an Action Plan to reduce emissions further.

Please let me know if you have any questions.

Sincerely,



Gord Gilmet
Technical Manager



RAIN CARBON INC.

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725 Strathearne Avenue North
Hamilton, ON L8H 5L3
Canada

+1-905-548-5532 (direct)
+1 905 978 2188 (mobile)



+1-905-544-2891 (office)
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www.raincarbon.com

Attachments: Benzene s.30 Notification Form

General Information

Information requested in this notification form is collected under the authority of the *Environmental Protection Act*, R.S.O. 1990 (EPA) and Ontario Regulation 419/05: Air Pollution – Local Air Quality (the Regulation) made under the EPA and will be used to collect information relating to a measured or modelled air-related exceedance as required by s.25(9), s.28(1) and s.30(3) of the Regulation. The Ministry of the Environment and Climate Change (Ministry) may also request additional information.

1. Questions regarding completion and submission of this notification form should be directed to your local Ministry District Office. A list of these District Offices (including fax numbers) is available on the Ministry Internet site at <http://www.ontario.ca/environment-and-energy/ministry-environment-and-climate-change-district-locator>. A copy of this form may be acquired through the Ministry public web site <http://www.ontario.ca/environment-and-energy/rules-air-quality-and-pollution> or by contacting any Ministry office.
2. For notification under s.25(9) or s.28(1), the completed notification form should be sent, as soon as practicable, to the local Ministry District Office which has jurisdiction over the area in which the facility is located. A list of these District Offices (including fax numbers) is available on the Ministry Internet site at <http://www.ontario.ca/environment-and-energy/ministry-environment-and-climate-change-district-locator>.
3. For notification under s.30(3), the completed notification form should be immediately faxed to the local Ministry District Office which has jurisdiction over the area which the facility is located. A list of these District Offices (including fax numbers) is available on the Ministry Internet site at <http://www.ontario.ca/environment-and-energy/ministry-environment-and-climate-change-district-locator>. If the exceedance is determined outside of the business hours of the District Office then the completed notification form should be faxed to the Spills Action Center (1-800-268-6061).
4. Information on this form may be claimed as confidential but will be subject to the *Freedom of Information and Protection of Privacy Act* (FOIPPA) and the EBR. If you do not claim confidentiality at the time of submitting the information, the MOECC Ministry may make the information available to the public without further notice to you.

Instructions

This form should be used to notify the Ministry of a measured or modelled air-related exceedance. Notification is required under the Regulation and failure to notify the Ministry constitutes an offence under the Regulation and the EPA.

The publication titled “Air Contaminants Benchmarks (ACB) List: Standards, guidelines and screening levels for assessing point of impingement concentrations of air contaminants” contains two types of benchmarks: Benchmark 1 values (standards and guidelines) and Benchmark 2 values (screening levels). This list is available on the Internet site at <https://www.ontario.ca/page/air-contaminants-benchmarks-list-standards-guidelines-and-screening-levels-assessing-point>. This form is to be used to notify the Ministry of an exceedance of a Benchmark 1 value. If a concentration of a contaminant exceeds a Benchmark 1 value that is based on a guideline value, it is an indication that discharges of the contaminant may cause an adverse effect. If a concentration of a contaminant exceeds a Benchmark 2 value, it may be an indication that discharges of the contaminant may cause an adverse effect – further assessment should be undertaken to determine if an adverse effect may occur. If so, this form should be used to notify the Ministry.

This form may be used for notification of exceedances of more than one contaminant; Table 1 (or equivalent) should be completed for modelled exceedances. Table 2 should be completed for measured exceedances. If this notification is made pursuant to s. 30 then this form must be submitted immediately.

Note: The Ministry publishes a separate list of Ontario's Ambient Air Quality Criteria (AAQCs) which can be found on our website <http://www.ontario.ca/document/ontarios-ambient-air-quality-criteria-sorted-contaminant-name>. AAQCs are intended to address general air quality, not contributions of a contaminant to air quality from a facility. Hence, the notification requirements under the Regulation do not apply to AAQCs.

Regulatory Authority

Exceedance of a Benchmark 1 Value (Standard or Guideline)

“28. (1) A person who discharges or causes or permits the discharge of a contaminant shall, as soon as practicable, notify a provincial officer in writing if,

- (a) the person uses an approved dispersion model to predict concentrations of the contaminant that result from the discharges and,
 - i. the use of the model indicates that discharges of the contaminant may result in a contravention of section 19 or 20, or
 - ii. sections 19 and 20 do not apply to discharges of the contaminant and the use of the model indicates that discharges of the contaminant may cause an adverse effect;
 - (b) measurements of air samples indicate that discharges of the contaminant may result in a contravention of section 19 or 20; or
 - (c) sections 19 and 20 do not apply to discharges of the contaminant and measurements of air samples indicate that discharges of the contaminant may cause an adverse effect. ...”
3. The emission rate that, for the relevant averaging period, is derived from a combination of a method that complies with paragraph 1 or 2 and ambient monitoring, according to a plan approved by the Director as likely to provide an accurate reflection of emissions.

“25. (9) A person who is required under subsection (8) to complete the update of a report not later than March 31 in a year shall, as soon as practicable after that date, notify a provincial officer in writing if the person has started to use an approved dispersion model with respect to a contaminant for the purpose of completing the update but has not yet complied with section 12, and,

- (a) the use of the model indicates that discharges of the contaminant may result in a contravention of section 19 or 20; or
- (b) sections 19 and 20 do not apply to discharges of the contaminant and the use of the model indicates that discharges of the contaminant may cause an adverse effect. ...”

Exceedance of an Upper Risk Threshold

“30. (1) A person who discharges or causes or permits the discharge of a contaminant listed in Schedule 6 into the air shall comply with subsections (3) and (4) if there is reason to believe, based on any relevant information, that discharges of the contaminant may result in,

- (a) the concentration of the contaminant exceeding the half hour upper risk threshold set out for that contaminant in Schedule 6 at a point of impingement, if section 19 applies to the person in respect of the contaminant; or
- (b) the other time period upper risk threshold set out for that contaminant in Schedule 6 at a point of impingement, if section 20 applies to the person in respect of the contaminant.

(1.1) The two items in Schedule 6 that set out upper risk thresholds for total reduced sulphur (TRS) compounds specify the facilities to which they apply.

(2) Without limiting the generality of subsection (1), the reference in that subsection to relevant information includes relevant information from predictions of a dispersion model, including,

- (a) an approved dispersion model or other dispersion model; or
- (b) a dispersion model that is not used in accordance with this Regulation.

(3) If subsection (1) applies to a discharge, the person who discharged or caused or permitted the discharge of the contaminant shall immediately notify the Director in writing. ...”

Section 1 - Ministry of the Environment and Climate Change District Office Information

Date Form Submitted (yyyy/mm/dd)
2024/04/10

Date Exceedance Determined (yyyy/mm/dd)
2024/04/09

MOECC District Office
Hamilton District Office

District Office Fax Number

Supporting information attached? Yes No If yes, number of pages 1 (Letter)

Section 2 - Facility and Site Information

Name of Person Making the Notification

Last Name
Gilmet

First Name
Gord

Business Name (the name under which the entity is operating or trading - also referred to as trade name)

Rain Carbon Canada Inc.

Business Number

0000 0001 0080 4707

Business Activity Description (a description of the business endeavour, this may include products sold, services provided, equipment used, etc.)

Coal tar and petroleum-based material processing facility.

Site Name

Rain Carbon Canada Inc.

MOECC District Office

Hamilton District Office

Primary North American Industry Classification System (NAICS) Code Section 19 (Schedule 2) applies Section 20 (Schedule 3) applies

325192

Other NAICS Code

Civic Address

Unit Number

Street Number

725

Street Name

Strathearne Avenue North

PO Box

Survey Address

Lot and Concession: used to indicate location within a subdivided township and consists of a lot number and a concession number.

Part and Reference: used to indicate location within an unsubdivided township or unsurveyed territory, and consists of a part and a reference plan number indicating the location within that plan. Attach copy of the plan.

Lot

Concession

Part

Reference Plan

Non Address Information (includes any additional information to clarify requestor's physical location)

Municipality/Unorganized Township or Territory Upper Tier/District

Hamilton

Postal Code

L8H 5L3

Telephone Number

905 544-2891 ext.

Fax Number

Mobile Number

Email Address

Geo Reference

Description of location	Map Datum	Zone	Accuracy Estimate	Geo-Referencing Method	UTM Easting	UTM Northing
Main Building	83	17	-/+10m	Google Earth	598184.50	4790660.60

Environmental Compliance Approval (ECA) Number(s) and/or Environmental Activity and Sector Registry (EASR) Number(s) – attach a separate list if more space is required

1 7313-8KEN49

2

3

4

5

6

Section 3 - Type of Notification – Table 1 or Table 2 should be completed and submitted with this notification

This is a notification under subsection 28(1) – Notice to Provincial Officer as a result of modelling or measurements (select all that apply)

Exceedance of Benchmark 1 Value (Standard) Exceedance of Benchmark 1 Value (Guideline) Exceedance of Benchmark 2 Value (determined discharge may cause adverse effect)

Other (explain)

This is a notification under subsection 25(9) – Notice to Provincial Officer as a result an update of an Emission Summary and Dispersion Modelling Report (ESDM) (select all that apply)

Exceedance of Benchmark 1 Value (Standard) Exceedance of Benchmark 1 Value (Guideline) Exceedance of Benchmark 2 Value (determined discharge may cause adverse effect)

Other (explain)

Date that Refinement (see section 12 of the regulation) is anticipated to be complete (yyyy/mm/dd) _____

This is a notification under subsection 30(3) – Notice to the Director as a result of an exceedance of Upper Risk Threshold (URT) (Schedule 6)

Yes No

Section 4 - Follow-Up Action

Section 28 Notifications

Will an Abatement Plan be submitted to the Ministry within 30 days of this notice as per s.29?

Yes No If No, please provide the following

Type of Previously Submitted Abatement Plan

Date Submitted under s.29 of the Regulation (yyyy/mm/dd)

Subsection 30(3) Notifications for URT Exceedance

Has an ESDM Report been prepared in accordance with s.30(4) and submitted to the Ministry?

Yes No If No, what is the anticipated submission date for the ESDM* (yyyy/mm/dd)?

*Note: ESDM Report must be submitted within three months of the discharge

Section 5 - Model Based Assessment – please complete this section if notifying of a modelled exceedance (complete Table 1)

Was an ESDM Report prepared in accordance with s.26 of the Regulation?

Yes No

If yes, was the ESDM Report prepared to fulfill (select all that apply)

s.22 of the Regulation - Application for ECA under s. 20.2 of the *Environmental Protection Act*

s.9 of the EPA – Condition of an ECA (e.g. ECA with Limited Operational Flexibility)

s.23 of the Regulation - Requirement for Schedule 4 and 5 sector facilities

s.24 of the Regulation - Notice issued by Director

s.25 of the Regulation - Requirement for updating ESDM Report

s.30(4) of the Regulation – Required as result of URT exceedance

s.33(1) of the Regulation – Required as part of a request for a site-specific standard

s.11 (1) of Ontario Regulation 1/17 – Registrations under Part II.2 of the Act – Activities Requiring Assessment of Air Emissions (Air Emissions EASR Regulation)

Other (please specify) _____

What approved dispersion model was used? Include version number (select all that apply)

Appendix to Reg. 346 AERMOD ASHRAE SCREEN 3

Other (please specify) (if other, provide copy of section 7 notice) _____

Was the approved dispersion model refined as required by s.12 of the Regulation (i.e. operating conditions, emission rates)?

Yes No

What meteorological data was used?

Regional Data Regional data refined, in consultation with the EMRB, to reflect local land use conditions

Local or Site-Specific Data Data from a computational method

Did you receive approval under s. 13 for the Meteorological Data? Yes No

Have you modelled a concentration at a Point of Impingement (POI) other than the maximum POI? (please include figure showing maximum POI location)

Yes No

If Yes, specify additional locations (i.e., land use) at which the exceedance may occur (select all that apply – please include figure showing additional modelled locations):

Health Care Seniors Residence/Long Term Care Facility Child Care Facility Educational Facility

Dwelling

Location Specified by the Director (explain) _____

Other Location (explain) _____

Section 6 - Measurement Based Assessment – please complete this section if notifying of a measured exceedance (Complete Table 2 or equivalent)

Type of Monitor / Measurement Type	Date of Exceedance (yyyy/mm/dd)	Duration of Exceedance
SUMA VOC canister	2024/03/19	24-hr

Is the monitoring approved by the Ministry?

Yes No If yes, please describe the approval Monitoring Plan for Benzene and B(a)P (November 2019)

Monitoring Reference Number: (if available)

N/A

Specify the location (i.e., land use) at which the exceedance did occur (select all that apply):

Health Care Seniors Residence/Long Term Care Facility Child Care Facility Educational Facility

Dwelling

Location Specified by the Director (explain) _____

Other Location (explain) East Monitor

Section 7 - Statement of Company Official

I, the undersigned hereby declare that, to the best of my knowledge:

- The information contained herein and the information submitted is complete and accurate in every way and I am aware of the penalties against providing false information as per s.184 (2) of the *Environmental Protection Act*.
- I have been authorized to act on behalf of the company identified in this form for the purpose of providing this notification of exceedance under the Regulation to the Ministry of the Environment and Climate Change.
- I have used the most recent notification form (as obtained from the Ministry Internet site at <http://www.ontario.ca/environment-and-energy/rules-air-quality-and-pollution> or from my local Ministry District Office and I have included all necessary information required by the Regulation and identified on this form.

Name of Signing Authority
Gord Gilmet

Title
Technical Manager

Telephone Number 905 548-5532 ext.	Fax Number	Mobile Number	Email Address gord.gilmet@raincarbon.com
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Signature	Date (yyyy/mm/dd) 2024/04/10
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Address Information

Same as Site Physical Address? Yes No (If no, please provide signing authority mailing address information below)

Civic Address

Unit Number	Street Number	Street Name	PO Box
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Delivery Designator: If signing authority mailing address is a Rural Route, Suburban Service, Mobile Route or General Delivery (i.e., RR#3)

Municipality/Unorganized Township or Territory	County/District	Province/State	Country	Postal Code
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Table 1 - Information About Modelled Exceedance

Contaminant (a)	CAS (b) Number	Air Dispersion Model Used (include version number)	Maximum POI (c) Concentration (µg/m ³)	Averaging Period (hours)(minute/ hour/day/ annual)	Ministry Limit (µg/m ³) or URT (µg/m ³)	Limiting Effect	Schedule 2, Schedule 3, Guideline, Schedule 6 URT or Other (specify) (d)	Benchmark 1, Benchmark 2, or No Benchmark (e) (specify)	Percentage of Ministry Limit or URT

Provide additional information as needed (e.g. Location of Maximum POI Concentrations (e.g. UTM, street address, land use at Maximum POI if known, etc.))

Notes:

- (a) Proper Chemical Name should be given (Abbreviations, acronyms, numeric codes, trade names and mixtures NOT ACCEPTABLE).
- (b) CAS Number : Chemical Abstracts Services Number (UNIQUE Identifier for a chemical)
- (c) POI Concentration : Point of Impingement Concentration
- (d) Schedule 2 = section 19 applies; Schedule 3 = section 20 applies
- (e) If a B2 value is exceeded, the regulation requires potential adverse effects to be assessed. If it is determined that an adverse effect may occur for the contaminant in question, this should be included in the table

Table 2 - Information About Measured Exceedance

Contaminant (a)	CAS (b) Number	Type of Assessment (Measurement Method)	Maximum POI (c) Concentration (µg/m ³)	Averaging Period (minute/ hour/day/ annual)	Ministry Limit (µg/m ³) or URT (µg/m ³)	Limiting Effect	Schedule 2, Schedule 3, Guideline, Schedule 6 URT, or Other (specify)	Benchmark 1, Benchmark 2, or No Benchmark (d) (specify)	Percentage of Ministry Limit or URT
Benzene	71-43-2	SUMA VOC	107	24-hr	100	—	URT	—	107 %

* For additional measurement locations / sampling times, please include additional tables

** If you are reporting more than one exceedance, include the time of the exceedance in the contaminant column

Notes:

(a) Proper Chemical Name should be given (Abbreviations, acronyms, numeric codes, trade names and mixtures NOT ACCEPTABLE).

(b) CAS Number : Chemical Abstracts Services Number (UNIQUE Identifier for a chemical)

(c) POI Concentration : Point of Impingement Concentration

(d) Schedule 2 = section 19 applies; Schedule 3 = section 20 applies

(e) If a B2 value is exceeded, the regulation requires potential adverse effects to be assessed. If it is determined that an adverse effect may occur for the contaminant in question, this should be included in the table