

Media Release

Napanee Residents' Group Vigorously Opposes Company's Application for Proposed Air Approval for Asphalt Plant

July 14, 2022

Town of Greater Napanee – Keep Napanee Great (KNG), a non-profit residents' advocacy group, today declared its firm opposition to the issuance of an air approval for a proposed hot mix asphalt plant in Napanee.

A recent [public notice](#) was quietly posted on the Environmental Registry of Ontario to indicate that the proponent R.W. Tomlinson Limited has applied to the Ministry of Environment, Conservation and Parks for an Environmental Compliance Approval (ECA) under the *Environmental Protection Act*.

This notice states that if the ECA is issued, then various substances will be emitted into the air from the facility, including:

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|----------------|-----------------------|------------------------|-------------------------------------|
| Benzene | Benzo(a)pyrene | Carbon monoxide | Crystalline silica |
| Nickel | Naphthalene | Sulphur dioxide | Suspended particulate matter |

Products of combustion such as nitrogen oxides

“Our group is very concerned about the chemicals and compounds that will be discharged into our local airshed by the proposed asphalt plant,” said Vicki Stewart, Vice-President of KNG. “We are strongly opposed to this proposal, and we encourage all area residents to exercise their legal right to comment on the proposed ECA before the Ministry makes a decision to approve or reject it.”

According to the Registry notice, members of the public have until August 20, 2022 to file written submissions with the Ministry.

The ECA application has been filed although the proposed site has not been rezoned to permit an asphalt plant. On environmental grounds, the Napanee Town council voted unanimously on April 5, 2022 to deny a rezoning application filed by Tomlinson. The company then appealed the Town's refusal to the Ontario Land Tribunal. However, the Tribunal has not yet heard or decided the rezoning appeal, and it is unknown when the public hearing will be scheduled by the Tribunal.

“In addition to our client's concerns about air and odour impacts, it is our view that it is premature and inappropriate to be considering the issuance of an ECA when the proposed plant itself cannot be lawfully established at the present time,” said Richard Lindgren, who is a lawyer with the Canadian Environmental Law Association (CELA). CELA is representing KNG in relation to the rezoning appeal and the ECA application.

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For more information, or to arrange an interview, please contact:

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Canadian Environmental Law Association