



Ministry of the Environment
Ministère de l'Environnement

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 9606-8Z7S9Z

Issue Date: December 19, 2012

Lafarge Canada Inc.
6501 Bath Rd
Post Office Box, No. 160
Bath, Ontario
K0H 1G0

Site Location: Lafarge Bath Plant
6501 Bath Road Lots 4-6, Part of Lots 7,8, Concession 1 Broken Front
Loyalist Township, County of Lennox and Addington

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:

a thermal treatment site

to be used for the thermal treatment of the following material:

materials listed under Condition 12.1 of this Approval

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

(1) "*Approval*" means this Environmental Compliance Approval and any Schedules to it, including the application and supporting documentation listed in Schedule "A".

(2) "*Design and Operations Report*" means the Design and Operations Report, listed in Item 1 of Schedule "A" of this *Approval*.

(3) "*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*.

(4) "*District Manager*" means the District Manager of the local district office of the *Ministry* in which the *Site* is geographically located.

(5) "*EPA*" means Environmental Protection Act , R.S.O. 1990, c. E. 19, as amended.

(6) "*Fire Code*" means Fire Code - Ontario Regulation 388/97, made under the Fire Protection and Prevention Act , 1997, S.O. 1997, c. 4, as amended.

(7) "*Low Carbon Fuel*" means the materials listed in Condition 12.1(1) below.

(8) "*Manual*" means a document or a set of documents that provide written instructions to staff of the

Owner.

- (9) "*Ministry*" means the ministry of the government of Ontario responsible for the *EPA* and includes all officials, employees or other persons acting on its behalf.
- (10) "*Operator*" means any person, other than the *Owner's* employees, authorized by the *Owner* as having the charge, management or control of any aspect of the *Site*.
- (11) "*Owner*" means any person that is responsible for the establishment or operation of the *Site* being approved by this *Approval*, and includes Lafarge Canada Inc. , its successors and assigns.
- (12) "*OWRA*" means the Ontario Water Resources Act , R.S.O. 1990, c. O-40, as amended.
- (13) "*O. Reg. 419/05*" means the Ontario Regulation 419/05, Air Pollution – Local Air Quality, as amended.
- (14) "*PA*" means the Pesticides Act , R.S.O. 1990, c. P-11, as amended.
- (15) "*Provincial Officer*" means any person designated in writing by the Minister as a provincial officer pursuant to section 5 of the *OWRA* or section 5 of the *EPA* or section 17 of *PA*.
- (16) "*Reg. 347*" means Regulation 347, R.R.O. 1990, made under the *EPA*, as amended.
- (17) "*Site*" means the site located at 6501 Bath Road Lots 4-6, Part of Lots 7, 8, Concession 1, Broken Front, Loyalist Township, County of Lennox and Addington, identified in this *Approval*.
- (18) "*Trained personnel*" means personnel that have been trained through instruction and/or practice in accordance with 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

1.0 Compliance

1.1 The Owner and Operator shall ensure compliance with all the conditions of this Approval and shall ensure that any person authorized to carry out work on or operate any aspect of the Site is notified of this Approval and the conditions herein and shall take all reasonable measures to ensure any such person complies with the same.

1.2 Any person authorized to carry out work on or operate any aspect of the Site shall comply with the conditions of this Approval.

1.3 The Site shall be operated and maintained at all times including management and disposal of all Low Carbon Fuel in accordance with the EPA, Reg. 347, O. Reg. 419/05 and the conditions of this Approval. At no time shall the discharge of a contaminant that causes or is likely to cause an adverse effect be permitted.

2.0 Design, Develop, Build, Operate and Maintain in Accordance

2.1 (1) Except as otherwise provided for in this Approval, the Site shall be designed, developed, built, operated and maintained in accordance with the application for this Approval, dated January 11, 2012,

and the supporting documentation listed in Schedule "A".

(2) 1. Within 2 weeks of first receiving material listed under Condition 12.1(1) of this Approval, the Owner shall notify the Director in writing (with a copy to the District Manager) of the date when material is first received at the Site, all in accordance with Section 5.0.1(4) of Reg. 347.

2. No material listed under Condition 12.1(1) of this Approval shall be accepted at the site, be present on the site, or be subjected to thermal treatment at the site after the third anniversary of the date material is first received at the Site unless further approval from the Director is obtained, all in accordance with Section 5.0.1(5) of Reg. 347.

3.0 Interpretation

3.1 Where there is a conflict between a provision of any document, including the application, referred to in this Approval, and the conditions of this Approval, the conditions in this Approval shall take precedence.

3.2 Where there is a conflict between the application and a provision in any documents listed in Schedule "A", the application shall take precedence, unless it is clear that the purpose of the document was to amend the application and that the Ministry approved the amendment.

3.3 Where there is a conflict between any two documents listed in Schedule "A", other than the application, the document bearing the most recent date shall take precedence.

3.4 The requirements of this Approval are severable. If any requirement of this Approval, or the application of any requirement of this Approval to any circumstance, is held invalid or unenforceable, the application of such requirement to other circumstances and the remainder of this Approval shall not be affected thereby.

4.0 Other Legal Obligations

4.1 The issuance of, and compliance with, this Approval does not:

(1) 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:

1. obtaining site plan approval from the local municipal authority;
2. obtaining all necessary building permits from the local municipal authority Building Services Division;
3. obtaining approval from the Chief Fire Prevention Officer, local municipal authority: or

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

5.0 Adverse Effect

5.1 The Owner and Operator shall take steps to minimize and ameliorate any adverse effect on the natural environment or impairment of water quality resulting from the Site, including such accelerated or additional monitoring as may be necessary to determine the nature and extent of the effect or impairment.

5.2 Despite an Owner, Operator or any other person fulfilling any obligations imposed by this Approval, the Owner, Operator or any other person remains responsible for any contravention of any other condition of this Approval or any applicable statute, regulation, or other legal requirement resulting

from any act or omission that caused the adverse effect to the natural environment or impairment of water quality.

6.0 Change of Owner

6.1 The Owner shall notify the Director in writing, and forward a copy of the notification to the District Manager, within thirty (30) days of the occurrence of any changes:

- (1) the ownership of the Site;
- (2) the Operator of the Site;
- (3) the address of the Owner or Operator;
- (4) the partners, where the Owner 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 shall be included in the notification; and
- (5) the name of the corporation where the Owner is or at any time becomes a corporation, other than a municipal corporation, and a copy of the most current information filed under the Corporations Information Act, R.S.O. 1990, c. C-39 shall be included in the notification.

7.0 Financial Assurance

7.1 (1) No less than 30 thirty days prior to first receiving material listed under Condition 12.1(1) of this Approval, and no later than May 31, 2013, the Owner shall submit to the Director, financial assurance as defined in Section 131 of the EPA, in the amount of \$206,784.60. This financial assurance shall be in a form acceptable to the Director and shall provide sufficient funds for the analysis, transportation, Site clean-up, monitoring and disposal of all quantities of Low Carbon Fuel permitted to be on Site at any one time;

(2) Commencing on March 31, 2015, and every three (3) years thereafter, the Owner shall provide to the Director a re-evaluation of the amount of the financial assurance to facilitate the actions required under Condition 7.1(1). Additional financial assurance, if required, must be submitted to the Director within twenty (20) days of written acceptance of the re-evaluation by the Director;

(3) Commencing on March 31, 2013, the Owner shall prepare and maintain at the Site an updated re-evaluation of the amount of financial assurance required to implement the actions required under Condition 7.1(1) for each of the intervening years in which a re-evaluation is not required to be submitted the Director under Condition 7.1(2). The re-evaluation shall be made available to the Ministry, upon request;

(4) The amount of financial assurance is subject to review at any time by the Director and may be amended at his/her discretion; and

(5) If any financial assurance is scheduled to expire or notice is received, indicating financial assurance will not be renewed, and satisfactory methods have not been made to replace the financial assurance at least sixty (60) days before the financial assurance terminates, the Owner shall forthwith replace the financial assurance with cash.

6.2 No portion of this Site shall be transferred or encumbered prior to or after closing of the Site unless the Director is notified in advance and sufficient financial assurance is deposited with the Ministry to ensure that these conditions will be carried out. In the event of any change in ownership of the Site, other than change to a successor municipality, the Owner shall notify the successor of and provide the

successor with a copy of this Approval, and the Owner shall provide a copy of the notification to the District Manager and the Director.

8.0 Inspections

8.1 No person shall hinder or obstruct a Provincial Officer from carrying out any and all inspections authorized by the OWRA, the EPA, or the PA, of any place to which this Approval relates, and without limiting the foregoing:

- (1) to enter upon the premises where the approved site are located, or the location where the records required by the conditions of this Approval are kept;
- (2) to have access to, inspect, and copy any records required to be kept by the conditions of this Approval;
- (3) to inspect the Site, related equipment and appurtenances;
- (4) to inspect the practices, procedures, or operations required by the conditions of this Approval; and
- (5) to sample and monitor for the purposes of assessing compliance with the terms and conditions of this Approval or the EPA, the OWRA or the PA.

9.0 Information and Record Retention

9.1 Any information requested, by the Ministry, concerning the Site 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 Ministry, upon request, in a timely manner.

9.2 The receipt of any information by the Ministry or the failure of the Ministry to prosecute any person or to require any person to take any action, under this Approval or under any statute, regulation or other legal requirement, in relation to the information, shall not be construed as:

- (1) an approval, waiver, or justification by the Ministry of any act or omission of any person that contravenes any term or condition of this Approval or any statute, regulation or other legal requirement; or
- (2) acceptance by the Ministry of the information's completeness or accuracy.

9.3 All records required by the conditions of this Approval must be retained on Site for a minimum period of five (5) years from the date of their creation with the exception of records that have a legislative retention time.

9.4 Any information relating to this Approval and contained in Ministry files may be made available to the public in accordance with the provisions of the Freedom of Information and Protection of Privacy Act, R.S.O. 1990, C. F-31.

10.0 Service Area and Hours of Operations.

10.1 Only Low Carbon Fuel that is generated within the following geographical boundaries shall be accepted at the Site:

- (1) the province of Ontario;

(2) the province of Quebec;

(3) the state of New York.

10.2 Low Carbon Fuel may be received, shipped from, processed and utilized at the Site 24 hours per day 7 days a week.

11.0 Signage and Security

11.1 The Owner shall install a sign at the main entrance/exit to the Site on which is legibly displayed the following information:

(1) the name of the Site and Owner;

(2) the number of this Approval;

(3) the telephone number for the Ministry's Spill Action Centre;

(4) the operating hours of the Site;

(5) a twenty-four (24) hour telephone number that can be used to reach the Owner in the event of a complaint or an emergency;

(6) the materials allowed to be received at the Site under this Approval; and

(7) a statement indicating that all deliveries to the Site must be pre-scheduled.

11.2 The Owner shall operate and maintain the Site in a secure manner that prevents access to the Site by unauthorized persons.

12.0 Approved Types

12.1 No materials other than the following are approved for receipt at this Site under this Approval:

(1) material from industrial, commercial, institutional and construction & demolition sources as per Section 4.1 of Item 1 in Schedule "A", including:

1. pre-consumer/post-diversion materials (coffee roasting chaff; materials made predominantly from biomass (excluding biomass from animals, biomass from food processing and preparation operations, and odourous biomass) but that do not meet the definition of "woodwaste" listed in Reg. 347; manufacturing end rolls and cores; carpet cuttings; textiles; paper fibre/wood/plastic composite materials; sawdust; woodchips);
2. construction and demolition materials (materials made predominantly from biomass (excluding biomass from animals, biomass from food processing and preparation operations, and odourous biomass) but that do not meet the definition of "woodwaste" listed in Reg. 347; rugs; floor laminates; wood treated with organics; non-recyclable packaging);
3. post-consumer/post-diversion materials (cardboard; banknotes; disposable beverage cups and lids; non-recyclable paper fibre packaging and related similar products; printed paper; paper towels; materials made predominantly from biomass (excluding biomass from animals, biomass from food processing and preparation operations, and odourous biomass) but that do not meet the definition of "woodwaste" listed in Reg. 347; textiles);
4. treated wood (railway ties; telephone poles);
5. asphalt shingles.

(2) woodwaste that is exempt from approval requirements under Section 27 of the EPA in accordance with Section 28.1(2) of Reg. 347;

(3) other material that is exempt from approval requirements under Section 27 of the EPA.

12.2 (1) The Owner shall ensure all incoming loads are inspected by a trained attendant to ensure only materials approved under this Approval are received at this Site;

(2) If any incoming load known to, or is discovered to, contain unapproved materials, that load and/or container shall not be accepted at the Site; and

(3) If any unapproved material is discovered on-site, that material shall be immediately disposed of in accordance with the Approval and Reg. 347.

13.0 Approved Quantities

13.1 The amount of Low Carbon Fuel received at the Site shall not exceed 1200 tonnes per day.

13.2 The amount of Low Carbon Fuel stored on-site shall not exceed 2910 tonnes at any one time.

13.3 The amount of Low Carbon Fuel subjected to thermal treatment shall not exceed 75 tonnes per day.

14.0 Storage

14.1 The Owner shall ensure that all stored Low Carbon Fuel is tarped, stored indoors or stored in enclosed containers/trailers, other than:

(1) railway ties and roofing shingles; and

(2) Low Carbon Fuel being temporarily staged during processing

all in accordance with Section 4.4 of Item 1 of Schedule "A" and Item 2 of Schedule "A".

15.0 Processing

15.1 Low Carbon Fuel processing on-site is limited to the following:

(1) the thermal treatment of materials listed in Condition 12.1 above; and

(2) the material pre-processing activities listed in Items 1 and 2 of Schedule "A".

15.2 Any changes to the material pre-processing activities required to optimize the process shall be submitted to the Director and the District Manager prior to implementation. Any such changes that require approval shall not be implemented until written approval, in the form of an amendment to this Approval, is obtained from the Director.

16.0 Procedures Manual and Preventative Maintenance

16.1 The Owner shall ensure that the Site is properly operated and maintained at all times. A procedures Manual specific to the Site shall be prepared no later than 30 days prior to first receiving material listed under Condition 12.1(1) of this Approval, and shall be maintained current at all times and kept at the Site in a location that is accessible to Site personnel at all times. The procedures

Manual shall contain operating procedures and a maintenance program for the Site, including:

- (1) routine operating and maintenance procedures prepared in accordance with good engineering practices and as recommended by the equipment suppliers;
- (2) procedures for any record keeping activities relating to operation and maintenance of the Site;
- (3) a preventative maintenance program for all on-site equipment associated with the handling of Low Carbon Fuel; and
- (4) all appropriate measures to minimize nuisance impacts, including fugitive dust and odorous emissions, from the Site;

The Owner shall implement the procedures, measures and recommendations of the procedures Manual.

17.0 Design and Operations Report

17.1 The Design and Operations Report shall be retained at the Site and be available for inspection by Ministry staff. The Owner shall ensure that any updates to the Design and Operations Report that require approval from the Director are not implemented prior to receiving approval from the Director.

18.0 Nuisance Control

18.1 The Owner shall operate and maintain the Site such that the dust, odours, vectors, vermin, birds, litter, noise and traffic do not create a nuisance.

18.2 If at any time the District Manager has determined that vectors or vermin have become a nuisance, the Owner shall hire a qualified, licensed pest control professional to design and implement a pest control plan for the Site. The pest control plan shall then remain in place until either the Site has been closed or the pest control professional has deemed the nuisance to be remedied.

18.3 If at any time the District Manager has determined that litter has become a nuisance, the Owner shall develop a litter control plan, satisfactory to the District Manager, which shall detail all practical steps that the Owner shall implement to control litter at the Site.

18.4 If at any time odours are generated at the Site resulting in complaints the Owner shall take appropriate remedial actions immediately to eliminate the cause of the problem. Appropriate measures may include the removal of Low Carbon Fuel from the Site and temporary stoppage of all operations until the problem has been rectified and measures have been undertaken to prevent future occurrence.

18.5 If in the event that the District Manager has determined odours to be a persistent cause of nuisance at the Site the Owner shall prepare and submit to the District Manager an Odour Monitoring Program that is designed to detect and identify any odours originating from the operation of the Site which may cause nuisance impacts. The Odour Monitoring Program shall include a survey of sensitive receptors in the vicinity of the Site and shall outline all operational controls, monitoring, measurement and corrective actions, and communication and management reviews required to achieve the objective of managing odour at the Site in order to prevent or mitigate any odour impacts on the nearby sensitive receptors.

18.6 The Owner shall ensure that there is no queuing or parking of trucks that are waiting to enter this Site on any roadway that is not a distinct part of this Site.

18.7 The Owner shall ensure that vehicles leaving this Site do not drag dirt and/or other material that may become a contaminant or a nuisance onto public roads.

19.0 Other Approval

19.1 The Owner shall manage all direct discharges from this Site including stormwater run-off in accordance with appropriate Municipal, Provincial and/or Federal Legislation, Regulations and By-laws.

20.0 Training

20.1 Before any Low Carbon Fuel is received on Site, a training plan specific to the Site shall be developed and implemented to ensure that all employees that operate the Site or carry out any activity required under this Approval are trained in its operation.

20.2 The training plan shall require and ensure through proper written and/or electronic records that all persons directly involved with activities relating to the Site have been trained with respect to:

- (1) relevant waste management legislation, regulations and guidelines;
- (2) major environmental concerns pertaining to the material to be handled;
- (3) occupational health and safety concerns pertaining to the processes and materials to be handled;
- (4) management procedures including the use and operation of equipment for the processes and materials to be handled;
- (5) the Spill Prevention, Control & Countermeasures Plan and in the procedures to be employed in the event of an emergency;
- (6) specific written procedures for refusal of unacceptable loads;
- (7) contingency procedures;
- (8) specific written procedures for the control of nuisance conditions; and
- (9) the requirements of this Approval.

20.3 The Owner shall maintain a written and/or electronic record of training at the Site which includes:

- (1) date of training;
- (2) the name and signature of the person who has been trained; and
- (3) description of the training provided.

20.4 The Owner shall review the training plan and update it as necessary or on an annual basis as a minimum.

20.5 The Owner shall ensure that Trained Personnel is/are on duty at all times when the Site is open to carry out any activity required under this Approval.

21.0 Site Inspections

21.1 Trained Personnel shall carry out a visual inspection the Site perimeter and all storage, processing, treatment and impact abatement facilities related to Low Carbon Fuel operations each day the Site is in operation to ensure that:

- (1) the Site is secure;
- (2) the operation of the Site is not causing any nuisances including those from dust, odours, vectors, vermin, birds, litter, noise and traffic;
- (3) the operation of the Site is not causing any adverse effects on the environment; and
- (4) the Site is being operated in compliance with this Approval.

21.2 Any deficiencies discovered as a result of an inspection carried out under Condition 21.1 shall be remedied immediately, including temporarily ceasing operations at the Site if needed.

21.3 A written and/or electronic record of the inspections shall be kept at the site that includes the following information:

- (1) the name, title and signature of person that conducted the inspection;
- (2) the date and time of the inspection;
- (3) a list of any deficiencies discovered;
- (4) any recommendations for action; and
- (5) the date, time and description of actions taken to remedy deficiency.

22.0 Complaints

22.1 If at any time, the Owner receives any environmental complaints from the public regarding the operation of the Facility, the Owner shall respond to these complaints according to the following procedure:

- (1) The District Manager shall be notified within two (2) business days after receipt of any complaint;
- (2) Each complaint shall be recorded and numbered, and shall include the following information, as a minimum:

1. nature of the complaint;
2. weather conditions and wind direction at the time of the complaint;
3. name and address of the complainant (if provided); and
4. time and date of the complaint;

(3) Appropriate steps shall be taken forthwith to determine all possible causes of the complaint and to eliminate the cause of the complaint. A verbal reply shall be provided to the complainant, if known and if requested by the complainant, within 3 days of the complaint.

23.0 Spill Prevention, Control & Countermeasures Plan

23.1 All spills, as defined in the EPA, shall be immediately reported to the Ministry's Spill Action Centre at 1-800-268-6060 and to the local municipal authority.

23.2 The Owner shall implement and maintain a Spill Prevention, Control & Countermeasures Plan for the Site. The Spill Prevention, Control & Countermeasures Plan shall include, but not necessarily be limited to:

- (1) emergency response procedures to be undertaken in the event of a spill or process upset, including specific clean up methods for each material the Site is approved to accept;
- (2) a list of equipment and spill clean up materials available in case of an emergency;
- (3) contingency procedures to be followed in the event of equipment malfunction, a labour disruption, transportation disruption, inability of receiving sites to accept waste or other business disruption to the operation; and
- (4) notification protocol with names and telephone numbers of persons to be contacted, including persons responsible for the Site, the Ministry's District Office and Spills Action Centre, the local municipal fire department, the local municipal authority, the local Medical Officer of Health, the Ministry of Labour, and the names and telephone numbers of waste management companies available for emergency response.

23.3 The Owner shall review the Spill Prevention, Control & Countermeasures Plan and shall update the plan if necessary or on an annual basis as a minimum, and shall ensure that the names and telephone numbers of the persons to be contacted as required under Condition 23.2(4) are up-to-date, and that these numbers are prominently displayed and immediately available to all staff and emergency response personnel.

23.4 The equipment, materials and personnel requirements outlined in the Spill Prevention, Control & Countermeasures Plan are required to be kept on Site and shall be immediately available on the Site at all times. The equipment shall be kept in a good state of repair and in a fully operational condition.

23.5 The Owner shall promptly take all necessary steps to contain and clean up any spills or upsets which result from this operation. All spills and upsets shall be recorded in a written log or an electronic file format, as to the nature of the spill or upset, and action taken for clean-up, correction and prevention of future occurrences.

24.0 Record Keeping

24.1 The Owner shall maintain a record either electronically or in a log book which shall include the following information:

- (1) the type, date, source, and quantity of all Low Carbon Fuel received at the Site;
- (2) the date, type, quantity and destination of all Low Carbon Fuel transferred from the Site;
- (3) the date, type and quantity of all Low Carbon Fuel subjected to thermal treatment on-site;
- (3) a record of any refusals which shall include: amounts, reasons for refusal and actions taken;
- (4) a running total of the amount of Low Carbon Fuel received at the Site for the calendar year and a calculation of the average daily amount of Low Carbon Fuel that has been received at the Site for the calendar year;

- (5) a running total of the amount of residual waste that has been transferred from the Site for final disposal for the calendar year and a calculation of the average daily amount of residual waste that has been transferred from the Site for final disposal for the calendar year;
- (6) a calculation of the total quantity of Low Carbon Fuel on-site at the end of each operating day;
- (7) a record of the daily inspections required by Condition 21.0; and
- (8) a record of any spills or process upsets at the Site, the nature of the spill or process upset and the action taken for the clean up or correction of the spill, the time and date of the spill or process upset, and for spills, the time that the Ministry and other persons were notified of the spill in fulfilment of the reporting requirements in the EPA.

25.0 Annual Report

25.1 On March 31, 2014, the Owner shall submit to the District Manager, and retain on Site, a written report which covers the period from the commissioning of the Site to December 31, 2013. Thereafter, by March 31 on an annual basis, the Owner shall submit to the District Manager, and retain on Site a written annual report for the previous calendar year. The report shall include, at a minimum, the following information:

- (1) a detailed monthly summary of the information required by Condition 24.1(1) and 24.1(2);
- (2) a summary of loads refused including the generator of the load, the licensed hauler of the load if the generator can not be determined, the date of refusal and reason for refusal of the load;
- (3) any environmental and operational problems, that are likely to negatively impact the environment, encountered during the operation of the Site and during the facility inspections and any mitigative actions taken;
- (4) a summary of complaints received and the actions taken to mitigate the issue associated with the complaint;
- (5) a summary of any changes to the Spill Prevention Control and Countermeasures Plan since the last annual report; and
- (6) any recommendations to minimize environmental impacts from the operation of the Site and to improve Site operations and monitoring programs in this regard.

26.0 Closure Plan

27.1 (1) The Owner shall submit to the District Manager written notification of the decision to cease activities at the Site and a schedule for the implementation of the activities in accordance with the decommissioning activities outlined in Item 1 of Schedule "A". The notification and schedule shall be submitted either not later than four (4) months prior to the planned permanent closure of the Site, or forthwith in the situation of an unplanned permanent closure of the Site or indefinite cessation of Site activities.

(2) Within ten (10) days after closure of the Site, the Owner shall notify the Director and the District Manager, in writing, that the Site is closed and that the decommissioning activities have been completed.

SCHEDULE "A"

This Schedule "A" forms part of this Environmental Compliance Approval:

1. Application for Environmental Compliance Approval (Air, Noise, Waste) dated April 17, 2012 and

signed by Robert Cumming, Manager of Environmental & Public Affairs, Lafarge Canada Inc., including all supporting documentation and the attached document entitled "Design & Operations Report: Low Carbon Fuel Demonstration Project Lafarge Bath Plant" dated April 2012 prepared by Golder Associates Ltd.

2. Email dated September 4, 2012 from Amy Burke, Golder Associates Ltd., to Andrew Neill, P.Eng., MOE, with additional information on: (1) pre-processing; (2) storage; and (3) Financial Assurance.

3. Email dated September 26, 2012 from Amy Burke, Golder Associates Ltd., to Andrew Neill, P.Eng., MOE, regarding Financial Assurance.

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

1. The reason for the definitions is to simplify the wording of the subsequent conditions and define the specific meaning of terms as used in this Provisional Certificate of Approval.

2. The reason for Conditions 1.0, 3.0, 4.0, 5.0 and 9.0 is to clarify the legal rights and responsibilities of the Owner and Operator.

3. The reason for Conditions 2.0, 14.0, 15.0, 16.0 and 17.0 is to ensure that the Site is operated in accordance with the application and supporting documentation submitted by the Owner, and not in a manner which the Director has not been asked to consider.

4. The reasons for Condition 6.1 is to ensure that the Site is operated under the corporate name which appears on the application form submitted for this approval and to ensure that the Director is informed of any changes.

5. The reasons for Condition 6.2 are to restrict potential transfer or encumbrance of the Site without the approval of the Director and to ensure that any transfer of encumbrance can be made only on the basis that it will not endanger compliance with this Certificate of Approval.

6. The reason for Condition 7.0 is to ensure that sufficient funds are available to the Ministry to clean up the Site in the event that the Owner is unable or unwilling to do so.

7. The reason for Condition 8.0 is to ensure that appropriate Ministry staff have ready access to the Site for inspection of facilities, equipment, practices and operations required by the conditions in this Certificate of Approval. This condition is supplementary to the powers of entry afforded a Provincial Officer pursuant to the EPA and OWRA.

8. The reason for Condition 10.1 is to specify the approved service area from which waste may be accepted at the Site.

9. The reason for Condition 10.2 is to specify the hours of operation for the Site.

10. The reason for Condition 11.1 is to ensure that users of the Site are fully aware of important information and restrictions related to Site operations and access under this Certificate of Approval.

11. The reasons for Condition 11.2 is to ensure the controlled access and integrity of the Site by preventing unauthorized access when the Site is closed and no site attendant is on duty.

12. The reasons for Conditions 12.1 and 13.0 are to specify the types of waste that may be accepted at the Site, the amounts of waste that may be stored at the Site and the maximum rate at which the Site may receive and ship waste based on the Owner's application and supporting documentation.

13. The reason for Condition 12.2 is to ensure that all wastes are properly classified to ensure that they are managed, processed and disposed in accordance with O. Reg. 347, R.R.O. 1990 and in a manner that protects the health and safety of people and the public.

14. The reason for Conditions 18.0, 19.0 and 23.0 is to ensure that the Site is operated in a manner which does not result in a nuisance or a hazard to the health and safety of the environment or people.

15. The reason for Condition 23.0 is to ensure that the Site is operated by properly Trained staff in a manner which does not result in a hazard or nuisance to the natural environment or any person.

16. The reason for Condition 21.0 is to ensure that detailed records of Site inspections are recorded and maintained for inspection and information purposes.

17. The reason for Condition 22.0 is to ensure that any complaints regarding Site operations at the Site are responded to in a timely manner.

18. The reasons for Condition 22.0 are to ensure that an Emergency Response Plan is developed and maintained at the Site and that staff are properly trained in the operation of the equipment used at the Site and emergency response procedures.

19. The reasons for Condition 24.0 is to provide for the proper assessment of effectiveness and efficiency of site design and operation, their effect or relationship to any nuisance or environmental impacts, and the occurrence of any public complaints or concerns. Record keeping is necessary to determine compliance with this Certificate of Approval, the EPA and its regulations.

20. The reasons for Condition 25.0 are to ensure that regular review of site development, operations and monitoring data is documented and any possible improvements to site design, operations or monitoring programs are identified. An annual report is an important tool used in reviewing site activities and for determining the effectiveness of site design.

21. The reasons for Condition 26.0 is to ensure that the Site is closed in accordance with Ministry standards and to protect the health and safety of the public and the environment.

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.

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
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 19th day of December,
2012

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

AN/
c: District Manager, MOE Kingston - District
Amy Burke, Golder Associates Ltd.