



Ministry
of the
Environment

Ministère
de
l'Environnement

AMENDMENT TO PROVISIONAL CERTIFICATE OF APPROVAL
WASTE DISPOSAL SITE
NUMBER A262603
Notice No. 3
Issue Date: December 21, 2007

The Corporation of the Township of Chatsworth
316837 Hwy 6
Rural Route, No. 1
Chatsworth, Ontario
N0H 1G0

Site Location: Sullivan Landfill
Lot 16, Concession 5
Chatsworth Township, County of Grey

You are hereby notified that I have amended Provisional Certificate of Approval No. A262603 issued on July 11, 1991, and amended on September 16, 1992 and August 30, 1999 for waste disposal site (Landfill), as follows:

I. Item No. 7 in the Notice issued on August 30, 1999 is re-numbered as Item No. 8.

II. The following definitions are added:

(a) "Certificate" means this entire provisional Certificate of Approval document, issued in accordance with Section 39 of the *EPA*, and includes any schedules to it, the application and the supporting documentation listed in schedule "A";

(b) "Director" means any Ministry employee appointed in writing by the Minister pursuant to Section 5 of the *EPA* as a Director for the purposes of Part V of the *EPA*;

(c) "District Manager" means Owen Sound District Manager of the Ministry;

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

(e) "Guideline B-7" means the Ministry's Guideline B-7 entitled "Incorporation of the Reasonable Use Concept into MOE Groundwater Management Activities", dated April 1994, as amended;

(f) "Ministry" means the Ministry of the Environment;

(g) "Township" means any person that is responsible for the establishment, operation/management or control of any aspect of the site being approved by this Certificate, and includes the Township of Chatsworth, its successors and assigns;

(h) "Noise Guidelines for Landfill Sites" means the Ministry document entitled "Noise Guidelines for Landfill Sites", dated June 1998, or as amended from time to time;

(i) "O. Reg. 347" means Regulation 347, R.R.O. 1990, made under the *EPA*, as amended from time to time;

(j) "*OWRA*" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended from time to time;

(k) "*PA*" means the *Pesticides Act*, R.S.O. 1990, c. P-11, as amended from time to time;

(l) "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*;

(m) "Regional Director" means the Regional Director of the London Regional Office of the Ministry;

(n) "Site" means the entire waste disposal site located at N. E. 1/4 of Lot 16, Concession 5 in the Township of Sullivan,

approved by this Certificate;

III. Condition 3 is revoked and replaced with the following new Condition:

3. By March 31st of each calendar year, the Township shall submit to the Owen Sound Area Office of the Ministry of the Environment an Annual Operational Report for the preceding January 1st to December 31st period. This report addressing the following issues:

- volume of waste received, remaining capacity and Site life expectancy;
- review of operating procedures and any deficiencies therein; and
- the efficiency of the recycling program;

Detailed groundwater/surface water monitoring information shall be included in the annual operational report every three years. In the intervening years, general groundwater/surface water monitoring information including a statement on Site compliance with the Reasonable Use Guideline, Policy B-7, and the Provincial Water Quality Objectives shall be submitted in the form of a brief letter report.

IV. The following conditions are added:

GENERAL

Compliance

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

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

Interpretation

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

12. 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.

13. 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.

14. The conditions of this Certificate are severable. If any condition of this Certificate, or the application of any condition of this Certificate to any circumstance, is held invalid or unenforceable, the application of such condition to other circumstances and the remainder of this Certificate shall not be affected thereby.

Adverse Effect

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

16. Despite the Township fulfilling any obligations imposed by this Certificate, the Township remains responsible for any contravention of any other condition of this Certificate 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.

CHANGE OF OWNERSHIP

17. The Township 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 in the following information:

- (a) the ownership of the Site;
- (b) the operator of the Site;
- (c) the address of the Township;
- (d) the partners, where the Township 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.

18. 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. In the event of any change in ownership of the Site, other than change to a successor Township, the Township shall notify the successor of and provide the successor with a copy of this Certificate, and the Township shall provide a copy of the notification to the District Manager and to the Director.

INSPECTIONS

19. 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 Certificate relates, and without limiting the foregoing:

- (a) to enter upon the premises where the approved works are located, or the location where the records required by the conditions of this Certificate are kept;
- (b) to have access to, inspect, and copy any records required to be kept by the conditions of this Certificate;
- (c) to inspect the Site, related equipment and appurtenances;
- (d) to inspect the practices, procedures, or operations required by the conditions of this Certificate; and
- (e) to sample and monitor for the purposes of assessing compliance with the terms and conditions of this Certificate or the *EPA*, the *OWRA* or the *PA*.

INFORMATION AND RECORD RETENTION

20. Any information requested, by the Ministry, concerning the Site and its operation under this Certificate, including but not limited to any records required to be kept by this Certificate shall be provided to the Ministry, upon request, in a timely manner. Records shall be retained for the contaminating life span of the Site except for as otherwise authorized in writing by the Director.

21. 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 Certificate or under any statute, regulation or other legal requirement, in relation to the information, shall not be construed as:

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

SERVICE AREA

22. Only waste that is generated in the Township of Chatsworth shall be accepted at the Site.

APPROVED WASTE TYPES

23. Only solid non-hazardous waste limited to municipal waste shall be accepted at the Site for landfilling.

24. No liquid industrial waste or hazardous wastes as defined under O.Reg. 347 shall be received at the Site.

25. The Township shall develop and implement a program to ensure the number of used tires stored on site does not exceed 4999 tire units as defined in O.Reg. 347.

26. The Township shall develop and implement a program to inspect waste to ensure that the waste received at the Site is of a type approved for acceptance under this Certificate. The inspection program does not have to be a formal guide or document.

CAPACITY

27. The maximum theoretical waste disposal volume of the Site Area B, consisting of the waste, daily cover and intermediate cover, but excluding the final cover is 87,900 cubic meters.

COVERS

28. Waste shall be deposited in a manner that minimizes the exposure area at the landfill working face and it shall be compacted before the cover material is applied.

29. Cover material shall be applied over waste as follows:

(a) Daily Cover:

(i) Waste shall be covered at the end of each day it is brought to the site with the following exception: During periods of heavy snowfall, when equipment and/or operators are not available on occasion, waste may be covered the next day after it is brought to the site.

(ii) The entire working face shall be covered with a minimum thickness of 150 mm of cover material.

(iii) Only clean soil, or an alternate material approved in writing by the *District Manager*, shall be used for daily cover.

(b) Intermediate Cover:

(i) In areas where landfilling has been temporarily discontinued for six (6) months or more, a minimum thickness of 300 mm of cover material shall be placed.

(ii) Only clean soil, or an alternate material approved in writing by the *District Manager*, shall be used for intermediate cover.

(c) Final Cover:

(i) The final cover shall consist of a total of 600 mm of soil layer and 150 mm of top soil layer with slopes within a maximum of 4H:1V and a minimum of 20H:1V

(ii) Only clean soil, or an alternate material approved in writing by the *District Manager*, shall be used for final cover.

(iii) Seeding of the final cover shall be undertaken in the next growing season following the placement of the final cover.

30. Where the existing intermediate cover material has eroded such that waste is exposed, the cover material shall be

promptly replaced.

31. The Township shall ensure that sufficient amount of cover material is available for use during the winter season.

32. Use of snow as daily cover is prohibited.

SITE ACCESS

33. (a) The hours of operation shall fall between the hours of 9:00 a.m. and 5:00 p.m. Monday, Tuesday and Saturday.

(b) The operating hours of the Site may be changed by consent of the District Manager.

34. The access road and on-site roads shall be provided and maintained so that vehicles hauling waste to and on the Site may travel readily and safely on any operating day.

SITE SECURITY

35. (a) No waste shall be received for disposal from the public except during the hours of operation and under the supervision of a trained attendant.

(b) Waste may be received for disposal from commercial carriers outside of the posted hours of operation, without the supervision of an attendant. The owner shall screen commercial carriers and ensure that all carriers are trained in accordance with Condition 44 prior to gaining access.

(c) Waste may be received outside the hours of operation, under the supervision of a trained attendant, by appointment.

36. The Site shall be operated and maintained in a secure manner. During non-operating hours, the Site shall be secured against access by unauthorized persons.

SIGNS

37. A sign shall be installed and maintained at the main entrance/exit to the Site on which is legibly displayed the following up-to date information:

- (a) the name of the Site and the Township;
- (b) the number of the Certificate;
- (c) the normal hours of operation;
- (d) the allowable and prohibited waste types;
- (e) the telephone number to which complaints may be directed;
- (f) a twenty-four (24) hour emergency telephone number (if different from above); and
- (g) a warning against dumping outside the Site.

38. The Township shall regularly update the signs required by this Certificate in an effort to display up-to-date information to the Site users.

ADVERSE EFFECT

39. The Site shall be operated and maintained such that dust, litter, odor, noise, vermin, vectors and traffic do not create an adverse effect.

Litter Control

40. The Township shall take all practical steps to prevent the escape of litter from the Site. If necessary, litter fencing shall be erected around the working area of the landfill and the storage of recyclable materials.

Noise

41. Noise from or related to the operation of the Site shall be kept to a minimum and in any event, the Township shall

comply with the criteria set out in the Ministry's guideline entitled "Noise Guidelines for Landfill Sites".

Vermin

42. Vermin related to waste handling activities are to be adequately controlled at the Site. Should vermin become a problem, a licensed exterminator shall be engaged at a frequency necessary to bring the problem under control.

SCAVENGING

43. Scavenging at the Site is prohibited, except at the designated re-use area and under the supervision of the Site attendant.

EMPLOYEES AND TRAINING

44. A training plan for all employees that operate any aspect of the Site shall be developed and implemented by the Township. Only Trained Personnel shall operate any aspect of the Site or carry out any activity required under this Certificate.

WEEKLY INSPECTIONS

45. An inspection of the entire Site and all equipment at the Site shall be conducted each week to ensure: that the Site is secure, that the operation of the Site is not causing any adverse effects on the environment and that the Site is being operated in compliance with this Certificate. Any deficiencies discovered as a result of the inspection shall be remedied immediately, including temporarily ceasing operations at the Site, if needed.

46. The areas to be inspected shall include, but not be limited to the following:

- (a) condition of the active disposal areas;
- (b) presence of leachate seeps;
- (c) condition of any soil stock piles for evidence of excessive erosion;
- (d) presence of litter at the Site's perimeter and litter fences;
- (e) condition of the intermediate cover and of the final cover;
- (f) presence of vector, vermin, scavenging birds and animals;
- (g) condition of the on-site facilities, the gate and its lock and the signs required by this Certificate; and
- (h) amount of the cover material to ensure that sufficient daily cover is available at all times that the Site is in operation.

COMPLAINTS PROCEDURE

47. If at any time, the Township receives complaints regarding the operation of the Site, the Township shall respond to these complaints according to the following procedure:

- (a) The Township shall record and number each complaint, either electronically or in a log book, and shall include the following information: the nature of the complaint, the name, address and the telephone number of the complainant if the complainant will provide this information and the time and date of the complaint;
- (b) The Township, upon notification of the complaint, shall initiate appropriate steps to determine possible causes of the complaint, proceed to take the necessary actions to eliminate the cause of the complaint and forward a formal reply to the complainant; and
- (c) The Township shall complete and retain on-site or at the Municipal Office a report written within one (1) week of the complaint date, listing the actions taken to resolve the complaint and any recommendations for remedial measures, and managerial or operational changes to reasonably avoid the recurrence of similar

incidents.

(d) A summary of the complaints and their resolutions shall be provided in the Annual Report.

EMERGENCY SITUATIONS

48. (a) Any spills, fires or other emergency situations shall be forthwith reported directly to the Ministry's Spills Action Centre (1-800-268-6060) and shall be cleaned up immediately.

(b) In addition, the Township shall submit, to the District Manager a written report within three (3) business days of the emergency situation, outlining the nature of the incident, remedial measures taken, handling of waste generated as a result of the emergency situation and the measures taken to prevent future occurrences at the Site.

49. All wastes resulting from an emergency situation shall be managed and disposed of in accordance with O.Reg. 347.

50. The spill containment and clean up kit shall be:

- (a) kept on hand at all times that waste landfilling and/or handling is undertaken at the Site; and
- (b) be adequately maintained and kept in good repair.

51. The Township shall ensure that the emergency response personnel are familiar with the use of the spill containment and clean up kit and its location(s).

RECORDS KEEPING

Daily Operations Records

52. The Township shall establish daily operating records of the landfilling in the form of a log or a dedicated electronic file and it shall include, as a minimum, the following information:

- (a) type and estimated amount of waste received at the Site for landfilling;
- (b) area of the Site in which landfilling operations are taking place;
- (c) type, source and amount of daily or intermediate cover used;
- (d) waste types and quantities of recyclable/reusable wastes transferred off the Site;
- (e) destination of recyclable/reusable wastes transferred off the Site;
- (f) records of litter pick-up activities undertaken at the Site as required by Conditions 40;
- (g) maintenance and repairs performed on the equipment used at the Site;
- (h) records of complaints received and actions taken to resolve them as required by Condition 47;
- (i) summary emergency situations and actions taken to address them;
- (j) any environmental and operational problems and any mitigative actions taken;
- (k) any recommendations to minimize environmental impacts from the operation of the waste diversion areas to improve such operations in this regard; and
- (l) any other information required by the District Manager.

Inspections Records

53. The Township shall establish and maintain at the Site, a written record of the weekly Site inspections as required by Conditions 47 and 48. This record shall be in the form of a log or a dedicated electronic file and it shall include, as a minimum, the following information:

- (a) date and time of inspection;
- (b) name, title and signature of trained personnel conducting the inspection;

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- (c) a listing of all the areas inspected and any deficiencies observed; and
- (d) recommendations for remedial action and the completion date of such action.

54. (a) The Township shall retain all documentation listed in Schedule "A" for as long as this Certificate is valid.

- (b) The Township shall retain at the Site, all records required by this Certificate for a minimum of two (2) years from the date of their creation.
- (c) The Township shall retain the employee training records for as long as the employee is working at the Site.
- (d) The Township shall make all of the above documents and records available for inspection upon request by the staff of the Ministry.

CLOSURE PLAN

55. At least two (2) years prior to the anticipated date of closure of this Site, the Township shall submit to the Director for approval, with copies to the District Manager, a detailed site closure plan pertaining to the termination of landfilling operations at this Site, post-closure inspection, maintenance and monitoring and end use. The plan shall include the following:

- (a) a plan showing Site appearance after closure;
- (b) a description of the proposed end use of the Site;
- (c) a descriptions of the procedures for closure of the Site, including:
 - (i) advance notification of the public of the landfill closure;
 - (ii) posting of a sign at the Site entrance indicating the landfill is closed and identifying any alternative waste disposal arrangements;
 - (iii) completion, inspection and maintenance of the final cover and landscaping;
 - (iv) site security;
 - (v) removal of unnecessary landfill-related structures, buildings and facilities;
 - (vi) final construction of any control, treatment, disposal and monitoring facilities for leachate, groundwater and surface water; and
 - (vii) a schedule indicating the time-period for implementing sub-conditions (i) to (vi) above.
- (d) descriptions of the procedures for post-closure care of the Site, including:
 - (i) operation, inspection and maintenance of the control, treatment, disposal and monitoring facilities for leachate, groundwater and surface water;
 - (ii) record keeping and reporting; and
 - (iii) complaint contact and response procedures;

56. The Site shall be closed in accordance with the closure plan as approved by the Director.

All other Terms and Conditions on Provisional Certificate of Approval No. A262603, which was issued to The Corporation of the Township of Sullivan on July 11, 1991, and amended on September 16, 1992 and August 30, 1999 not affected by this amendment, continue to remain in effect.

The reasons for this amendment to the Certificate of Approval are as follows:

1. Condition 3 is amended to approve the Township's request to revise the submission date of the Annual Operational Report and also:

GENERAL

2. Conditions 9, 10, 11, 12, 13, 14, 15, 16, 20 and 21 are included to clarify the legal rights and responsibilities of the Township under this Certificate of Approval.

CHANGE OF OWNERSHIP

3. Condition 17 is included to ensure that the Site is operated under the corporate name which appears on the Certificate and to ensure that the Director is informed of any changes.

4. Condition 18 is included 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.

INSPECTIONS

5. Condition 19 is included 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*.

SERVICE AREA

6. Condition 22 is included to specify the approved areas from which waste may be accepted at the, based on the application and supporting documentation listed in Schedule "A".

APPROVED WASTE TYPES

7. Conditions 23, 24 and 25 are included to specify the types of waste that may be accepted for disposal at the Site or transfer off the Site for further processing, based on the application and supporting documentation listed in Schedule "A".

8. Condition 26 is included to ensure that all incoming waste is inspected prior to acceptance at the Site to ensure that the waste handled at the Site is as indicated in the application and supporting documentation listed in Schedule "A".

CAPACITY

9. Condition 27 is included to specify the total capacity of the landfill at the Site, based on the Application for a Certificate of Approval dated November 17, 1972.

COVERS

10. Condition 28 is included to ensure that the size of the landfill working face is minimized so that the waste compaction and daily cover application can be facilitated to maximize the capacity of the Site and to provide environmental benefits associated with greater compaction of waste.

11. Conditions 29 and 30 are included to ensure that daily and intermediate cover is used to control potential adverse effects, to facilitate vehicle access on the site, and to ensure an acceptable site appearance is maintained. The proper closure of a landfill site requires the application of a final cover which is aesthetically pleasing, controls infiltration, and is suitable for the end use planned for the site.

12. Conditions 31 and 32 are included to ensure that the open face of the landfill is adequately covered during the winter season to minimize a likelihood of an adverse effect or a hazard the natural environment or any person.

SITE ACCESS

13. Condition 33 is included to specify the hours of operation for the Site and a mechanism for amendment of the hours of operation.

14. Condition 34 is included to insure that vehicular traffic related to the operation of the Site does not cause adverse effect or a hazard the natural environment or any person.

SITE SECURITY

15. Conditions 35 and 36 are included to ensure that the Site access and integrity are controlled by preventing unauthorized access when the Site is closed and no Site attendant is on duty.

SIGNS

16. Condition 37 and 38 are included 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.

ADVERSE EFFECT

17. Conditions 39-42, inclusive, are included to ensure that the Site is designed and operated in a way that does not result in an adverse effect or hazard to the natural environment or any persons.

SCAVENGING

18. Condition 43 is included to ensure protection of public health and safety, and minimization of potential damage to environmental controls, monitoring and other works at the Site due to uncontrolled/unsupervised removal of materials from waste at the Site.

EMPLOYEES AND TRAINING

19. Condition 44 is included to ensure that the Site is supervised and operated by properly trained staff in a manner which does not result in a hazard or nuisance to the natural environment or any person.

WEEKLY INSPECTIONS

20. Conditions 45 and 46 are included to ensure that the Site is inspected on each week of operation to verify that the Site is operated and maintained in an environmentally acceptable manner and does not result in an adverse effect or a hazard to the natural environment or any person.

COMPLAINTS PROCEDURE

21. Condition 47 is to ensure that any complaints regarding landfill operations at this Site are responded to in a timely and efficient manner.

EMERGENCY SITUATIONS

22. Condition 48 is included to ensure that emergency situations are reported to the Ministry to ensure public health and safety and environmental protection.

23. Conditions 49, 50 and 51 are included to ensure that emergency situations are handled in a manner to minimize the likelihood of an adverse effect and to ensure public health and safety and environmental protection.

RECORDS KEEPING

24. Conditions 52, 53 and 54 are included to ensure that accurate records are maintained to ensure compliance with the conditions in this Certificate, the *EPA* and its regulations.

CLOSURE PLAN

25. Condition 55 and 56 are included to ensure that final closure of the Site is completed in an aesthetically pleasing manner, in accordance with Ministry standards, and to ensure the long-term protection of the health and safety of the

public and the environment.

This Notice shall constitute part of the approval issued under Provisional Certificate of Approval No. A262603 dated July 11, 1991, as amended.

In accordance with Section 139 of the Environmental Protection Act, R.S.O. 1990, Chapter E-19, as amended, 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 approval or each term or condition in the 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 Certificate of Approval number;
6. The date of the Certificate of Approval;
7. The name of the Director;
8. The municipality within which the waste disposal site is located;

And the Notice should be signed and dated by the appellant.

This Notice must be served upon:

The Secretary*
Environmental Review Tribunal
2300 Yonge St., Suite 1700
P.O. Box 2382
Toronto, Ontario
M4P 1E4

AND

The Director
Section 39, *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) 314-4600, Fax: (416) 314-4506 or www.ert.gov.on.ca**

The above noted waste disposal site is approved under Section 39 of the Environmental Protection Act.

DATED AT TORONTO this 21st day of December, 2007

Tesfaye Gebrezghi, P.Eng.
Director
Section 39, *Environmental Protection Act*

AT/
c: District Manager, MOE Owen Sound
Howard Greig, The Corporation of the Township of Chatsworth