



Ministry  
of the  
Environment

Ministère  
de  
l'Environnement

PROVISIONAL CERTIFICATE OF APPROVAL  
WASTE MANAGEMENT SYSTEM  
NUMBER 2245-5GNKC4

Mississagi Power Trust  
Rural Route, No. 3  
Thessalon, Ontario  
P0R 1L0

*You have applied in accordance with Section 27 of the Environmental Protection Act for approval of:*

a waste management system serving:

the Province of Ontario

*For the purpose of this Provisional Certificate of Approval and the terms and conditions specified below, the following definitions apply:*

- a. "Director" means any Ministry employee appointed by the Minister pursuant to Section 5 of the Environmental Protection Act;
- b. "Company" means only Mississagi Power Trust;
- c. "District Manager" means the District Manager of the Ministry of the Environment for the geographic area in which the waste described in conditions 2 is located;
- d. "Certificate" means the entire Certificate of Approval including its schedules, if any, issued in accordance with Section 27 of the Environmental Protection Act;
- e. "Spill clean-up material" means the results of a clean up of a leak or spill which includes materials leaked or spilled and materials which have been absorbed on, or have contaminated, soil, fabric, paper, or other similar absorbent material and including contaminated, protective equipment used in the clean-up;
- f. "Subject waste" means subject waste as defined in Section 1 of the Ontario Regulation 347 and includes non-hazardous liquid industrial, hazardous liquid and hazardous solid waste pursuant to this Provisional Certificate of Approval.
- g. "Local waste transfer facility" means a facility;
  - i. that is owned or controlled by a person undertaking field operations or a person on whose behalf field operations are being undertaken;
  - ii. at which no waste is received except waste from field operations;
  - iii. that is used primarily for functions other than waste management; and
  - iv. at which waste from field operations is received, bulked, temporarily stored and transferred.
- h. "Field Operations" means operations that
  - i. are not primarily waste management operations;
  - ii. take place at a location that is not:

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\$ a local waste transfer facility

\$ the primary place of business of the person undertaking the operations, or

\$ a warehouse, factory, or processing plant of the person undertaking the operations;

iii. take place at a location that is owned or controlled by the person undertaking the operations or in accordance with a written agreement with the person who owns or controls the location; and

iv. involve

\$ construction or mining

\$ servicing, maintenance or monitoring but not servicing or maintenance that is primarily waste management

\$ the operation of utilities including communications networks, electric powerlines, pipelines and highways

\$ environmental, geographical or agricultural field testing,

\$ or activities that are related to the activities referred to in the subparagraphs above.

i. "PCB" means any monochlorinated or polychlorinated biphenyl or any mixture of them or any mixture that contains one or more of them, as specified in Section 1 of Ontario Regulation 347; which may also be described as hazardous liquid and/or hazardous solid waste class No. 243 as described in the "Ministry of the Environment New Ontario Waste Classes", January 1986;

j. "PCB" related waste" means waste containing low levels of PCBs or waste arising from a spill or clean up of PCB waste, as specified in Section 3(2) of Ontario Regulation 362.

*You are hereby notified that this approval is issued to you subject to the terms and conditions outlined below:*

### TERMS AND CONDITIONS

1. Except as otherwise provided by these conditions, the waste management system shall be operated in accordance with the application for this Provisional Certificate of Approval dated November 13, 2002, and with the supporting information submitted therewith.

2. The operation of this waste management system is limited to the collection, handling, and transportation of the following types and classes of waste:

a) PCB waste;

b) PCB related waste;

c) non-hazardous liquid industrial and hazardous liquid class nos. 112, 145, 146, 148, 211-213 inclusive, 221, 222, 232, 241, 242, 243, 251, and 252 inclusive;

d) Hazardous solid waste class nos. 112-114 inclusive, 121, 122, 131, 145, 146, 147, 148, 150, 211- 213 inclusive, 221, 222, 231, 232, 241, 242, 243, 251-254 inclusive, 262, 263, 266 and 269 as described in the attached "Ministry of the Environment Waste Classes", as amended, April 29, 1985;

e) commercial waste;

f) non-hazardous solid industrial waste, including asbestos waste in bulk, contaminated soil, and spill clean up material.

3. "Other" waste limited to spill clean-up material shall only be transported:

a) to a waste disposal site conforming to the requirements specified in condition 5 of this Provisional Certificate of Approval, or,

b) in accordance with a direction made pursuant to Section 94 of the Environmental Protection Act or an order made pursuant to Section 97 of the Act, which includes references to the reuse or disposal of the pollutant for the purpose of Section 96(1)(a) of the Act, or,

c) in accordance with the Director's approval or direction pursuant to Section 96(2) of the Environmental Protection Act.

4. The Company shall promptly take whatever steps are necessary to contain and clean up any spills of waste which have resulted from the operation of this waste management system.

5. Waste shall only be delivered to a waste disposal site or facility which has a Certificate of Approval or a Provisional Certificate of Approval, and only where the waste being delivered complies with the Certificate of Approval or Provisional

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Certificate of Approval of the receiving waste disposal site or facility; and to such other sites which include local waste transfer facilities.

6. All waste shall only be transported in such vehicles as stated in the application submitted for the Provisional Certificate of Approval dated November 13, 2002. Any addition, deletion or other change to the fleet of vehicles, trailers and equipment (i.e., year, make, model, serial number, licence number and ownership of each vehicle, trailer or piece of equipment) in particular those which are leased or rented, shall be reported to the Director within fourteen (14) days of any such change.

7. All asbestos waste in bulk shall be collected, handled and transported in accordance with the Ministry of the Environment's "Guidelines for the Handling, Transportation and Disposal of Asbestos Waste in Bulk", dated April, 1994 as may be amended.

### Field Operations

8. (a) The Company is hereby exempt from the generator registration requirements of Section 18 of Ontario Regulation 347 where subject waste generated from field operations is destined for a local waste transfer facility.

(b) The Company is hereby exempt from the requirements of Sections 19, 20 and 23 of the Ontario Regulation 347 with respect to the completion of a manifest where:

- i. subject waste from field operations is being transported to a local waste transfer facility; or
- ii. subject waste from field operations is being transported from one work area to another work area within a single field location where the waste is destined for a local waste transfer facility; or
- iii. subject waste from field operations is being transported from one field location to another field location where the waste is destined for a local waste transfer facility.

(c) The Company is hereby exempt from Section 27 of the Environmental Protection Act for local waste transfer facilities where:

- i. no waste is received except waste from field operations; and
- ii. there is available, at or near the site, firefighting equipment and spill clean-up and containment equipment appropriate to the quantities and types of waste on or expected to be on the site.

(d) The Company is hereby exempt from Section 27 of the *Environmental Protection Act* for local waste transfer facilities where,

- i. access to the site where the facility is located is controlled by gates, fencing, attendants, or other security measures;
- ii. any items of waste on the site that are or contain subject waste are stored on an impermeable pad provided with curbs, berms, catch basins or the like sufficient to prevent any such waste from escaping into the natural environment and that is or can be covered to keep out precipitation;
- iii. the locations mentioned in clause (ii) are readily accessible for inspection, containment of spills and spill clean-up;
- iv. there is available, at or near the site, firefighting equipment and spill clean-up and containment equipment appropriate to the quantities and types of waste on or expected to be on the site;
- v. a written record is kept each time that an item of waste that is or contains subject waste is received and stored at the site or transferred from the site and where the record specifies the nature and quantity of the waste and the record is retained for at least two years after the making of the record; and
- vi. waste is not stored for a period greater than 90 days, unless the Company obtains prior authorization of the District Manager.

(e) The Company is hereby exempt from the requirements of Section 27 of the *Environmental Protection Act* for the waste management system where the operations of which are limited to the collection and handling of waste from field operations and the transportation of the waste to,

- i. a local waste transfer facility; and/or
- ii. where the waste is not subject waste, to a waste disposal site operating under a Certificate of Approval or Provisional Certificate of Approval which authorizes the acceptance of such waste at the site.

(f) The exemption provided in subcondition (e)(ii) above, applies only to the Company undertaking field operations or to a person undertaking field operations on behalf of the Company.

(g) Field operations may include spill clean-up or emergency response activities where the Company is:

- i. the owner of spilled material, or
- ii. responsible for the spillage of the material, or
- iii. operates under a direction made pursuant to Section 94 of the *Environmental Protection Act* or an order made pursuant to Section 97 of the Act and the Direction or Order includes reference for the purpose of Section 96(1)(a), or
- iv. issued a Director's approval pursuant to Section 96(2) of the *Environmental Protection Act* for the clean-up of a spill which may include the transportation and disposal of spill clean-up material; or
- v. responding to a spill or other emergency that has occurred on property that is owned, managed or maintained by the Company.

#### PCB Waste Management

9. The waste specified in condition 2(a) and 2(b) may be transported pursuant to this Provisional Certificate of Approval when the waste transportation vehicle is owned or leased by the Company and the operator of the vehicle is under direct control of the Company.

10. The vehicle(s) noted in condition 6 shall not be used to transport any other waste or materials at the same time as they contain PCB waste.

11. PCB waste and PCB related waste shall only be transported to approved PCB sites in the Province of Ontario which have been established pursuant to Ontario Regulation 362 or pursuant to Part V of the Environmental Protection Act.

12. The quantity of PCB waste and PCB related waste transported by this waste management system is restricted to the quantity which can be accepted at the receiving site(s) or facilities utilized.

13. PCB and PCB related waste shall be transported directly to the receiving facility, with no stops, except for the following:

- (a) Where the driver must stop to perform a vehicle inspection every 200 km or 2 hours; or
- (b) when the driver is required by law to take a break for rest;
- (c) when the driver is picking up waste at multiple locations; and
- (d) when required by an emergency or safety situation.

14. If a spill of PCB waste does occur inside a PCB transportation vehicle, the vehicle shall be decontaminated and the Company shall notify the District Manager or the Spills Action Centre within one (1) hour, informing them of the spill and of the generation of any hazardous waste resulting from the decontamination of the vehicle.

15. All waste resulting from the decontamination of a PCB transportation vehicle shall only be transported to a waste disposal site or facility which has been issued a Certificate of Approval or Provisional Certificate of Approval pursuant to Part V of the *Environmental Protection Act*, or Director's Instructions issued pursuant to Ontario Regulation 362 permitting such waste to be stored or disposed of at the site.

16. The Company shall ensure prior to transportation that the PCB waste or PCB related waste is fully contained.

17. (a) Except for field operations as noted in condition 8 where the supply of power has been jeopardized by the failure of electrical equipment, the Company may transport intact, functional electrical equipment which may contain PCBs to a site in the field to replace failed equipment and to ensure that the supply of power is maintained. Such transportation is hereby exempt from the requirements of Sections 19, 21 and 23 of Ontario Regulation 347 with respect to the completion of a manifest.

(b) Where the Company acted under subcondition (a) above, the District Manager shall be notified on the next business day, and the notification shall include:

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- i. a description of the equipment;
- ii. the known or suspected concentration of PCB in the equipment;
- iii. the timing of the occurrence;
- iv. the site to which the failed equipment was transported; and
- v. the Company's intentions with respect to further moves of the equipment.

18. Where PCB waste is transported pursuant to condition 8 the Company is exempt from the requirement of obtaining the written instructions of the Director pursuant to Regulation 362.

19. Where PCB waste containing over fifty (50) litres of PCB liquid is to be collected and transported from a site owned or operated by the Company, the Company is exempt from the requirement of obtaining the written instructions of the Director pursuant to Section 5(2)(b)(i) of Ontario Regulation 362, if

1. the Company obtains the prior authorization of the District Manager in accordance with condition 22; and,
2. the Company maintains records of such authorization for a minimum of two (2) years which may be presented to officials of the Ministry of the Environment upon request.

20. a) Except as provided in condition 17, the Company shall provide written notification to the District Manager located in the area where the PCB waste was generated of its intent to transport PCB waste at least three (3) working days prior to the proposed commencement of the collection, handling or transportation of PCB waste, but notification is not required for field operations unless known askarel transformers or liquids that have been drained from know askarel transformers constitute the material to be transported by the Company.

b) The notification referred to in subcondition (a) shall include:

- i. the amount and character of the PCB waste to be transported;
- ii. the site or sites from which the PCB waste is to be transported;
- iii. the proposed site or sites in the Province of Ontario to which the PCB waste is to be delivered;
- iv. the proposed time period over which the transportation is to occur; and,
- v. confirmation of the acceptance of the waste by the receiver at the site or sites in the Province of Ontario

c) The Company shall not collect, handle or transport any PCB waste unless and until it has received authorization from the District Manager located in the area where the waste is destined, pursuant to the written notification referred to in subconditions (a) and (b).

21. The Company shall collect, handle and transport PCB and PCB related waste in accordance with the *ACCME (Canadian Counsel of Ministers of the Environment) Guidelines for the Management of Wastes Containing Polychlorinated Biphenyls (PCBs)* dated September, 1989 and with the *A Handbook on PCBs in Electrical Equipment Third Edition* dated April, 1988 both of which have been prepared by the Environmental Protection Service, Industrial Programs Branch, Environment Canada.

22. (a) The driver shall load the vehicle in a responsible manner and will ensure that the PCB waste shipped is securely fastened for transportation.

(b) The driver shall be in attendance with the waste load at all times except during required stops as listed in condition 13 at which time the vehicle will remain locked during the driver's absence.

23. The Company shall ensure that all drivers and personnel involved in the collection and transportation of PCB and PCB related waste pursuant to this Provisional Certificate of Approval have been trained in accordance with the requirements of Ontario Regulation 347 and the Transportation of Dangerous Goods Act where applicable, and more specifically in:

- a) the operation and management of the PCB waste and PCB related waste transportation vehicle and equipment;
- b) relevant waste management legislation, regulations and guidelines;
- c) major environmental concerns pertaining to the handling of PCB waste and PCB related waste;
- d) occupational health and safety concerns pertaining to the handling of PCB waste and PCB related waste; and
- e) emergency management procedures related to any incidents which could occur in the handling and transportation of PCB waste and PCB related waste.

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### General Provisions

24. Every vehicle utilized to collect and transport subject waste pursuant to this Provisional Certificate of Approval shall be insured under a vehicle liability policy for a minimum of one million dollars (\$1,000,000.00) until such time as this Provisional Certificate of Approval is revoked.

25. The following documents shall be with each vehicle operated pursuant to this Provisional Certificate of Approval at all times that the vehicle is being operated or contains any wastes:

- (a) A copy of this Provisional Certificate of Approval;
- (b) A certificate verifying the driver's successful completion of a training and safety program, if required by Regulation 347; and
- (c) A certificate of vehicle liability insurance specifying that it provides coverage of a minimum of one million dollars (\$1,000,000.).

26. Every vehicle used for the collection of waste pursuant to this Provisional Certificate of Approval shall be clearly marked with the company name and the number which appears on the face of the Certificate of Approval or Provisional Certificate of Approval that authorizes the collection and transportation of waste.

27. (a) The Company shall maintain financial assurances in the form of cash or an Irrevocable Letter of Credit in the amount of one hundred thousand dollars (\$100,000.00) in a form satisfactory to the Director for the PCB waste management system. In the event that a Letter of Credit is scheduled to expire or notice is received that it will not be renewed and a replacement in a form satisfactory to the Director is not received at least 60 (sixty) days prior to the expiry or renewal date the Company shall forthwith replace it with a cash deposit.

(b) The financial assurances may be used for any expenses incurred by Her Majesty the Queen in Right of Ontario, including cash deposits made under this condition or payments under Part XII of the Environmental Protection Act, related to any waste management activity of the Company or its successors or assignees.

28. The Company shall allow Ministry personnel, or a Ministry authorized representative(s) upon presentation of credentials, to:

(1) carry out any and all inspections authorized by Section 156, 157 or 158 of the Environmental Protection Act, as amended from time to time, of any place to which this Certificate relates; and

without restricting the generality of the foregoing, to:

(2) (a) enter at reasonable times upon the premises where the approved waste management system is located, or the location where the records required by the conditions of this Certificate are kept;

(b) have access to and copy, at reasonable times, any records required by the conditions of this Certificate;

(c) inspect at reasonable times any facilities, equipment (including monitoring and control equipment) practices, or operations required by the conditions of this Certificate; and

(d) sample and monitor at reasonable times for the purpose of assuring compliance with the conditions of this Certificate.

29. (1) The Company shall notify the Director in writing of any of the following changes within thirty (30) days of the changes occurring:

(a) change of Company name, owner or operating authority;

(b) change of Company address or address of new owner or operating authority;

(2) In the event of any change in ownership of the waste management system the company shall notify the succeeding (new owner) company of the existence of this Certificate, and a copy of such notice shall be forwarded to the Director.

(3) The Company shall ensure that all communications made pursuant to this condition will refer to this Certificate number.

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

1. The reason for condition 1 is to set out clearly that this waste management system is operated in accordance with the application for this Provisional Certificate of Approval and the supporting information submitted therewith and not on a basis or in any way which the Director has not been asked to consider.
2. The reason for condition 2 is to ensure that this waste management system is only used to collect, handle and transport waste which it is able to in a suitable manner as the transportation of waste which this waste management system is not able to collect, handle and transport may create a nuisance or result in a hazard to the health and safety of any person or the natural environment.
3. The reason for condition 3 is to ensure that spill clean-up material is handled in accordance with the requirements and specifications of Part X of the *Environmental Protection Act*.
4. The reason for condition 4 is to ensure that any waste spilled onto the vehicle is promptly contained and cleaned up to minimize the risk of further spillage or the discharge of waste from the vehicle to the environment and to ensure that the proper officials of the Ministry of the Environment are notified and able to give direction to the Company to ensure the complete decontamination of the vehicle and clean up of the spilled material.
5. The reason for condition 5 is to ensure that this waste management system is used to transport waste only to waste disposal sites or facilities that have been approved by the Ministry of the Environment to receive the waste which this waste management system is delivering under this Provisional Certificate of Approval, and that by accepting the waste being delivered by the waste management system, the waste disposal site and facilities will not be out of compliance with its Certificate of Approval or Provisional Certificate of Approval.
6. The reason for condition 6 is to ensure that all vehicles, trailers and equipment including those leased or rented for operation under this Provisional Certificate of Approval have been approved as part of a suitable waste transportation system to collect and transport waste as an unsuitable waste transportation system could result in a hazard to the health and safety of any person or the natural environment.
7. The reason for condition 7 is to ensure that all asbestos waste in bulk is collected, handled and transported in a safe and environmentally acceptable manner which will not result in a hazard to the Health and safety of any person or the natural environment.
8. The reason for condition 8 is to clarify when approvals under Part V of the *Environmental Protection Act* are required, and approvals under Ontario Regulation 347 are required.
9. Condition 9 has been included in this approval because the transportation of this type of waste must be strictly regulated to ensure that the highest standards of operation are maintained. It is therefore in the public interest to ensure that the approvals issued are not transferred or otherwise taken over by persons who are unknown to the Director or have not been required to submit an application to the Director and have not been subject to a review of such application.
10. The reason for condition 10 is to ensure that other waste or materials are not transported concurrently in any vehicle that is being used to transport any type of PCB waste and PCB related waste as the use of any PCB waste and PCB related waste transportation vehicle may result in the contamination of the other waste or materials which may result in a hazard to the health and safety of any person or the natural environment.
11. The reason for condition 11 is to ensure that all PCB waste and PCB related waste is transported to suitable waste disposal site(s) or facilities that have been approved to accept these wastes.
12. The reason for condition 12 is to ensure that the receiving site(s) are not overloaded with incoming waste from the operations conducted by this Provisional Certificate of Approval as the transportation of an excessive quantity of waste to the listed facilities could result in a hazard to the public health and safety as well as the natural environment.
13. The reason for condition 13 is to ensure that PCB waste and PCB related waste is transported to the receiving site expeditiously.

14. The reason for condition 14 is to ensure that any PCB waste and PCB related waste spilled onto the vehicle is promptly contained and cleaned up to minimize the risk of further spillage or the discharge of PCB waste and PCB related waste from the vehicle to the environment and to ensure that the proper officials of the Ministry of the Environment are notified and able to give direction to the Company to ensure the complete clean up of the spilled waste.

15. The reason for condition 15 is to ensure that waste generated in the decontamination of the vehicle is handled in an acceptable manner and is only delivered to sites which have the ability to safely handle the waste.

16. The reason for condition 16 is to ensure that the PCB waste or PCB related waste is properly packaged and securely loaded on to the vehicle in order to prevent PCB contamination of the environment and to prevent a hazard to the health and safety of any person.

17. Condition 17 has been included to ensure that the Company has the ability to transport functional PCB electrical equipment that was in storage to a site where it can be put back into service in order to maintain the supply of power.

The concerns of the Ministry of the Environment with respect to notification and handling are addressed through subcondition two (2) as well as the operating requirements of the approval.

18. The reason for condition 18 is to clarify where the field operations exemption may not be applied to the operations of the Company.

19. Condition 19 has been included as part of the approval to eliminate a duplication in paperwork for the Company. Under condition 20 the Company is required to obtain the prior authorization of the District Officer for all PCB moves.

Having the Company also obtain the written instructions of the Director generates a duplicate workload on both the Company and the Ministry of the Environment's part where the concerns of the Ministry in developing Section 5(2) b(i) of Ontario Regulation 362 are clearly addressed through the requirements of condition 22 of this approval.

20. Condition 20 has been included as part of this Provisional Certificate of Approval to ensure that the District Manager of the Ministry of the Environment for the area in which the PCB waste is located is notified of the Company's intentions and has the opportunity to review, comment on, and if necessary, reject the proposed operation. This procedure of District Manager authorization further assists the Ministry of the Environment in the strict regulation of the management of PCB waste and ensures that operations of the Company are conducted in a manner which is acceptable to and satisfies the concerns of the District Manager.

21. The reason for condition 21 is to ensure that the collection, handling and transportation of PCB waste or PCB related waste is conducted in a safe and environmentally acceptable manner, in accordance with both federal and provincial guidelines, regulations and legislation governing the handling of these wastes.

22. The reason for condition 22 is to ensure that waste particulates are not emitted to the environment as any such emission may result in a hazard to the health and safety of any person or the natural environment.

23. The reason for condition 23 is to ensure that PCB waste and PCB related waste is handled in a manner that is in compliance with all Ministry of Environment and Energy and Ministry of the Environment Guidelines, and minimizes the risk of any accidents or spills.

24. The reason for condition 24 is to ensure that every vehicle operated under this Provisional Certificate of Approval is adequately insured under a vehicle liability policy. The transportation of subject waste in a vehicle that has not been adequately insured under a vehicle liability policy would not be in the public interest.

25. The reason for condition 25 is to ensure that all waste carriers have met and are operating in compliance with the standards for waste management systems outline in Regulation 347.

26. The reason for condition 26 is to ensure that the collection, handling and transportation of waste is conducted in a safe and environmentally acceptable manner, as outlined in Regulation 347.



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27. The reason for condition 27 is to ensure that adequate funds are available to effect suitable remedial action if an event occurs which may create a nuisance or result in a hazard to the health and safety of any person or the natural environment.

28. The reason for condition 28 is to ensure that the appropriate Ministry staff have ready access to the waste management system to inspect the Company's operations that are under this Provisional Certificate of Approval.

29. The reason for condition 29 is to ensure that the waste management system is operated under the corporate, limited or the applicant's own name which appears on the application and supporting information submitted for this Provisional Certificate of Approval and not under any name which the Director has not been asked to consider.

*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 works are 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., 12th Floor  
P.O. Box 2382  
Toronto, Ontario  
M4P 1E4

AND

The Director  
Section 9, *Environmental Protection Act*  
Ministry of Environment and Energy  
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](http://www.ert.gov.on.ca)**

*The above noted waste management system is approved under Section 39 of the Environmental Protection Act, and is subject to the Regulations made thereunder.*

DATED AT TORONTO this 31st day of July, 2003

Aziz Ahmed, P.Eng.  
Director  
Section 39, *Environmental Protection Act*

EN/  
c: District Manager, MOE Sault Ste. Marie  
Roly Bertrand, Mississagi Power Trust