


 AMENDED PROVISIONAL CERTIFICATE OF APPROVAL  
 WASTE DISPOSAL SITE  
 NUMBER A262302  
 Issue Date: July 12, 2011

The Corporation of the Township of Southgate  
 RR1  
 185667 Grey Road 9  
 Dundalk, Ontario  
 N0C 1B0

Site Location: Dundalk Landfill/Transfer Site  
 Lot 232, Concession 3  
 Southgate Township, County of Grey

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

a 6.6 hectare Waste Disposal Site consisting of closed landfill site on 0.8 hectares, a transfer site and the establishment and operation of a *Municipal Hazardous and Special Waste depot*,

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

- (a) "**Act**" means the *Environmental Protection Act*, R.S.O. 1990, C.E-19, as amended;
- (b) "**Bulking**" means the mixing of similar waste types into a single container in a secure and safe manner;
- (c) "**Certificate**" means this Provisional Certificate of Approval;
- (d) "**competent person**" means a person or people who through their knowledge, training and experience is/are able to carry out any necessary duties in the following, through instruction and practice:
  - i. relevant waste management legislation, regulations and guidelines;
  - ii. major environmental concerns pertaining to the waste to be handled;
  - iii. emergency response procedures for the waste to be handled;
  - iv. use and operation of any equipment to be used;
  - v. operation and management of the *Site*, or area(s) within the *Site*, in accordance with the specific job requirements of each individual operator, and which may include procedures for receiving, screening and identifying, refusing, handling and temporarily storing wastes;
  - vi. *Owner* specific written procedures for the control of conditions that may cause an adverse effect;
  - vii. requirements of the *Certificate*; and
  - viii. record keeping procedures;
- (e) "**Director**" means Director, Environmental Assessment and Approvals Branch, Ontario Ministry of the Environment;
- (f) "**District Manager**" means District Manager, Owen Sound Area Office, Ontario Ministry of the Environment;

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- (g) "**Fire Code**" means Regulation 213/07 of the Fire Protection and Prevention Act, 1997;
- (h) "**45-cubic metre MHSW storage container**" means the specialized portable storage container that is referred to in the Design and Operations Report that is identified in Item 11 of Schedule "A";
- (i) "**lab packed**" means the waste management industry's recognized method of temporarily storing and transporting inventoried miscellaneous organic and inorganic wastes in a drum;
- (j) "**MHSW Guidelines**" refers to the *Ministry* publication entitled "Household Hazardous Waste Collection and Facility Guidelines", dated May 1993;
- (k) "**Municipal Hazardous and Special Waste**" and the acronym "**MHSW**" means hazardous waste or special waste that fall within waste classes 135, 145, 147, 148, 211, 212, 213, 221, 222, 231, 242, 251, 252, 253, 254, 261, 262, 263, 312 and 331 as defined in Ontario Regulation 347 and also includes waste anti-freeze, *WEEE*, waste wet cell batteries, waste dry cell batteries, waste lithium batteries from electronic devices, waste fluorescent tubes and waste energy efficient light bulbs and waste switches and thermostats that may contain mercury;
- (l) "**Ministry**" and "**MOE**" means the Ontario Ministry of the Environment;
- (m) "**OWRA**" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;
- (n) "**Ontario Regulation 347**" means Ontario Regulation 347 - R.R.O. 1990, General - Waste Management, as amended from time to time, made under the *Act*;
- (o) "**Ontario Regulation 189**" means Ontario Regulation 189/94, Refrigerants, or as amended, made under the *Act*;
- (p) "**Owner**" means the Township of Southgate and any employees of the Township of Southgate responsible for managing the operations of the Site;
- (q) "**PCB**" and "**PCBs**" means any monochlorinated or polychlorinated biphenyl or any mixture of them or mixture that contains one or more of them;
- (r) "**Scavenging**" means the uncontrolled removal of reusable material from waste at a waste disposal site;
- (s) "**Site**" means the property located at Lot 232, Concession 3 south-west of the Toronto & Sydenham Road, Township of Proton, County of Grey, more particularly described as Part 1 according to deposited Plan 17R1379. Additional lands include Part 1, Plan 17R3443, Part 1, Plan 16R5528 and Part 1, Plan 16R5526. The *Site* includes the closed landfilling area, the current waste transfer activities and the establishment of a *Municipal Hazardous and Special Waste* depot;
- (t) "**Storage Guidelines**" means the *Ministry* document entitled "Guidelines for Environmental Protection Measures at Chemical and Waste Storage Facilities" dated May 2007;
- (u) "**tire unit**" is a standardize means of describing the total weight of all of the tires at the *Site* regardless of the individual weight of each of the tires. To report the number of tires in standardized tire units each tire weighing less than twelve kilograms is one tire unit and each tire weighing twelve kilograms or more is the number of tire units that results from dividing twelve into the number of kilograms that the tire weighs;
- (v) "**WEEE**" means waste electrical and electronic equipment listed in Schedules 1 through 7 of *Ontario Regulation 393/04 of the Waste Diversion Act*; and
- (w) "**white goods which contain refrigerants**" means appliances or equipment which contain, or may contain refrigerants, and which include, but are not restricted to, refrigerators, freezers and air-conditioning systems.

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

## TERMS AND CONDITIONS

**General**

1. This Provisional Certificate of Approval supersedes and replaces Provisional Certificate No. A262302 issued March 20, 2003, as amended.
2. Except as otherwise provided by these Conditions, the *Site* shall be designed, developed, used, maintained and operated, and all facilities, equipment and fixtures shall be built and or installed in accordance with the Applications for a Certificate of Approval for a Waste Disposal Site dated November 25, 2002 and February 25, 2011 and supporting documentation, plans and specifications listed in Schedule "A".
3. The requirements specified in this *Certificate* are requirements under the *Act*. Issuance of this *Certificate* in no way abrogates the *Owner's* legal obligations to take all reasonable steps to avoid violating other applicable provisions of this legislation and other legislation and regulations.
4. The requirements of this *Certificate* are severable. If any requirements of this *Certificate*, or the application of any requirement of this *Certificate* to any circumstance, is held invalid, the application of such requirement to other circumstances and the remainder of this *Certificate* shall not be affected in any way.
5. The *Owner* must ensure compliance with all terms and conditions of this *Certificate*. Any non-compliance constitutes a violation of the *Act* and is grounds for enforcement.
6. (a) The *Owner* shall, forthwith upon request of the *Director, District Manager, or Provincial Officer* (as defined in the *Act*), furnish any information requested by such persons with respect to compliance with this *Certificate*, including but not limited to, any records required to be kept under this *Certificate*; and
  - (b) In the event the *Owner* provides the *Ministry* with information, records, documentation or notification in accordance with this *Certificate* (for the purposes of this condition referred to as "Information"),
    - (i) the receipt of Information by the *Ministry*;
    - (ii) the acceptance by the *Ministry* of the Information's completeness or accuracy; or
    - (iii) the failure of the *Ministry* to prosecute the *Owner*, or to require the *Owner* to take any action, under this *Certificate* or any statute or regulation in relation to the Information;shall not be construed as an approval, excuse or justification by the *Ministry* of any act or omission of the *Owner* relating to the Information, amounting to non-compliance with this *Certificate* or any statute or regulation.
7. The *Owner* shall allow *Ministry* personnel, or a *Ministry* authorized representative(s), upon presentation of credentials, to;
  - (a) carry out any and all inspections authorized by Section 156, 157 or 158 of the *Act*, Section 15, 16 or 17 of the **OWRA**, or Section 19 or 20 of the **Pesticides Act**, R.S.O. 1990, as amended from time to time, of any place to which this *Certificate* relates; and
  - (b) without restricting the generality of the foregoing, to:
    - (i) enter upon the premises where records required by the conditions of this *Certificate* are kept;
    - (ii) have access to and copy, at reasonable times, any records required by the conditions of this *Certificate*;
    - (iii) inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations required by the conditions of this *Certificate*; and
    - (iv) sample and monitor at reasonable times for the purposes of assuring compliance with the conditions of this *Certificate*.
8. Where there is a conflict between a provision of any document referred to in Schedule "A", and the conditions of this *Certificate*, the conditions in this *Certificate* shall take precedence. Where there is a conflict between the documents listed

in Schedule "A", the document bearing the most recent date shall prevail.

9. Any information relating to this *Certificate* 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. All records and monitoring data required by the conditions of this *Certificate* must be kept on the *Owner's* premises for a minimum period of three (3) years from the date of their creation.

### **Notification**

11. The *Owner* shall ensure that all communications/correspondence made pursuant to this Provisional Certificate of Approval reference Certificate No. A262302.

12. The *Owner* shall notify the *Director* in writing of any of the following changes, within thirty (30) days of the change occurring:

- (a) change of *Owner* or name of *Owner*;
- (b) change of address or address of new *Owner*;
- (c) change of 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, 1991 shall be included in the notification to the *Director*; and
- (d) any change of name of the corporation where the *Owner* is or at any time becomes a corporation, and a copy of the most current "Initial Notice or Notice of Change" (form 1 or 2 of Ontario Regulation 182, Chapter C-39, R.R.O. 1990, as amended from time to time).

13. (a) The *Owner* shall notify the *District Manager*, in writing, within thirty (30) days of appointing an operator responsible for managing the operations of the *Site* on behalf of the *Owner*; and

- (b) In the event of any change in ownership of the *Site*, the *Owner* shall notify in writing the succeeding owner of the existence of this Provisional Certificate of Approval, and a copy of such notice shall be forwarded to the *Director*.

### **Site Operations - General**

14. On each operating day, the *Owner* shall conduct a visual inspection of the security fence, road and gravel pad and waste storage locations to ensure that any potential problems such as odours, dust, vectors, vermin, rodents and other nuisances are controlled, that all litter is picked up, and that any possibility of fire is minimized.

15. If at any time problems such as odours, dust, litter, noise, vectors, vermin, rodents or other nuisances are generated at the *Site*, including all on-*Site* roads, the *Owner* shall take appropriate, immediate remedial action to eliminate the problem.

16. No *Scavenging* of waste is permitted to take place at the *Site*.

17. All wastes at the *Site* must be managed and disposed in accordance with the *Act* and its Regulations.

18. All surface water run-off from the *Site* must be discharged in accordance with the *OWRA*.

19. The service area for all waste and *MHSW* is the Counties of Grey, Bruce, Huron, Wellington, Simcoe, Dufferin, Perth and the Region of Waterloo.

### **Hours of Operation**

20. The allowed operating hours of the *Site* are from to 7:30 a.m. to 6:00 p.m. Monday to Friday and 7:30 a.m. to 4:00 p.m. Saturday. The *Site* shall be closed Sundays and Statutory Holidays.

21. (a) When the 45-cubic metre *MHSW* storage container is moved from the *Site* for use at the Egremont site that is owned by the Township of Southgate, *MHSW* that is normally accepted for storage in this container shall not be collected at the *Site*; and

(b) Within 30 days of issue of this *Certificate*, the *Owner* shall provide notice of the schedule for *MHSW* collection at the entrance to the *Site*, at the entrance to the Egremont site and on the *Owner's* web site.

**Site Operations - Landfill**

22. The *Site* may not receive waste for final disposal.

23. No operation shall be carried out at the *Site* unless this *Certificate* including the reasons for this condition has been registered by the *Owner* as an instrument in the appropriate Land Registry Office against title to the *Site* and a duplicate registered copy thereof has been returned by the applicant to the *Director*.

24. Burning of any material is prohibited at the *Site*.

**Site Operations - MHSW depot**

25. The *Municipal Hazardous and Special Waste (MHSW)* depot for the *Site* shall be developed, operated and maintain in accordance with the Conditions of this *Certificate* and the plans and specification in Schedule "A" of this *Certificate*.

26. The following Conditions apply to the *MHSW* depot:

(a) The *MHSW* Depot may accept only *MHSW*;

(b) The operation of the *MHSW* depot is limited to the *Bulking* of waste oil, waste anti-freeze, the collection of waste paint for *Bulking* or offer for re-use to the public and the collection and transfer of *MHSW* and associated *MHSW* solids and sludges;

(c) The *Owner* shall have absolute discretion in the refusal of any waste;

(d) *MHSW* shall be only accepted at the *MHSW* depot:

(i) from the Counties of Grey, Bruce, Huron, Wellington, Simcoe, Dufferin, Perth and the Region of Waterloo;

(ii) from householders responsible for those wastes;

(iii) from industrial, commercial and institutional (IC&I) businesses and farm operations where such wastes are considered unrelated to the operation of the business;

(iv) for any *MHSW* coming to the *Site* from industrial, commercial and institutional (IC&I) businesses and farm operations, the *Owner* shall fill out a form that identifies the name of the business or operation, the Vehicle Licence Plate number, the name of the person dropping off the waste, and shall have that person sign the form indicating that the business or operation is currently exempt from generator registration requirement for hazardous waste and/or waste oil and/or anti-freeze because they generate less than 5 kg per month of hazardous waste and/or less than 25 litres of waste oil and/or less than 25 litres of waste anti-freeze per month; and

(v) the maximum amount of *MHSW* that may be accepted at the *Site* from industrial, commercial and institutional (IC&I) businesses and farm operations in one day is 5 oil filters, 25-litres of waste oil, 25-litres of waste anti-freeze and 25-kilograms of hazardous waste.

(e) The maximum amounts of *MHSW* that are allowed to be received per day, stored on *Site* and the maximum allowed time of storage on *Site* are outlined in Schedule "B" of this *Certificate*;

(f) *MHSW* storage shall be restricted to three areas of the *Site* as follows:

i) An outdoor caged area of maximum size of 9 square metres, for the storage of waste cylinders such as propane containers;

ii) A Special Waste Building for storage of oil and antifreeze, *WEEE* and wet cell batteries;

iii) a 45-cubic metre *MHSW* storage container for the storage of the remainder of the *MHSW* that is allowed to be stored on *Site*;

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- (g) Storage of *MHSW* in *45-cubic metre MHSW storage container* shall be in 205-litre drums that are either *lab packed* or contain non fragile solids or a homogeneous liquid;
- (h) A maximum of 100 of the 205-litre drums containing *MHSW* may be stored in the *45-cubic metre MHSW storage container*;
- (i) The holding tanks for waste oil or anti-freeze shall never exceed 90% of their capacities;
- (j) In regards to the haulage of the *45-cubic metre MHSW storage container* from the *Site* the following applies:  
Before the *45-cubic metre MHSW storage container* is allowed to be loaded onto a roll-off container truck, a *competent person* shall inspect the waste that is stored in the container and assess whether the storage is sufficiently safe and secure to allow it to be loaded onto a roll-off container truck. Once the *competent person* is satisfied that the waste is properly secured in the container, they shall provided written permission for the container to be loaded. A copy of the written permission shall be kept as part of the daily records that are required by Condition 49; and
- (k) The receipt of waste class 312, is restricted to Sharps and Syringes that are received in biohazardous containers.

27. Management and Storage of *MHSW* shall be in accordance with the *Storage Guidelines* and the *MHSW Guidelines*, including but not limited to the following aspects:

- (a) storage areas and containers containing flammable and/or ignitable materials shall be stored and managed in accordance with the *Fire Code* and shall be adequately grounded;
- (b) waste motor oil may be bulked in a double-walled above ground waste oil storage tank that has a maximum capacity of 2200 litres. In addition, a maximum of 300 litres of oil may be stored in the *45-cubic metre MHSW storage container*;
- (c) waste anti-freeze may be bulked in a storage tank maximum capacity of 1,300 litres that is provided with secondary containment of minimum capacity of 1430 litres. In addition, a maximum of 700 litres of waste anti-freeze may be stored in the *45-cubic metre MHSW storage container*;
- (d) the waste oil and waste anti-freeze tanks shall be clearly labelled indicating their contents;
- (e) with respect to the storage of waste wet cell batteries the following applies:
  - i) they may only be stored in neatly arranged non conducting wood or fibreglass trays for secondary containment;
  - ii) they shall be placed on a wooden skid of approximate size 1.1 metres square;
  - iii) if they are not cracked, they may be stacked to a maximum of 4 high on a wooden skid if the batteries are suitable for stacking;
  - iv) if safe to do so, a maximum of 2 skids of wet cell batteries may be stacked on one another;
  - v) batteries on skids shall be banded or shrink wrapped on the pallets before shipping; and
  - vi) cracked or wet cell batteries that are leaking shall not be stacked and shall be handled with best management practices;
- (f) waste propane cylinders and other waste cylinders may be only stored outside in a secure segregated area of maximum area of 9 square metres in a manner which prevents cylinders from being knocked over or cylinder valves from breaking;
- (g) incompatible types of waste shall be segregated from one another during storage;
- (h) waste received in fragile containers shall be *lab packed* if safe to do so;
- (i) with respect to waste pharmaceuticals the following applies:
  - i) they may only be contained in a locked container to prevent unauthorized access or removal; and
  - ii) when they are ready for transport, pharmaceuticals may be *lab packed*;
- (j) the *Owner* shall have sufficient drums and lab-pack containers available on the premises for the storage of the waste collected;
- (k) paint may either be bulked in to 205-litre drums or offered to the public for re-use;

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- (l) *MHSW* that is received and stored at the *MHSW* depot shall be in amounts which can be safely handled at the *Site* and in no case shall exceed the limits outlined in Schedule "B" of the *Certificate*;
- (m) with the exception of cylinders such as used propane tanks, all *MHSW* shall be stored indoors;
- (n) storage containers shall be clearly labelled indicating the type and nature of the *MHSW* stored;
- (o) the indoor storage area shall be equipped with spill clean-up material;
- (p) the indoor storage areas for *MHSW* shall be equipped with a means of ventilation;
- (q) mercury containing devices such as switches, thermostats and thermometers shall be packed in suitable specialized containers or drums with packaging to prevent breakage;
- (r) fluorescent bulbs and tubes shall be stored in suitable specialized containers or in drums with packaging to prevent breakage;
- (s) sharps and syringes shall be placed in a sealed container that is labelled biohazardous and *lab packed* into a 205-litre storage drum or other suitable container;
- (t) dry cell batteries shall be stored separately in pails by type (i.e. lithium batteries stored separately from nickel-cadmium batteries etc.) and in manner which prevents spontaneous ignition of stored batteries; and
- (u) the electric terminals of lithium batteries shall be taped with electrical insulating tape to prevent shorting of the electric terminals.

28. With respect waste oil, paint or ballasts that may contain *PCBs* the following apply:

- (a) For unidentified oils and/or oils which are suspected of containing *PCBs*, they shall not be mixed (bulked), with other oils prior to testing. Oils which are *lab packed* are not considered to be mixed under this *Certificate*;
- (b) oil based paint which has been manufactured prior to 1972 shall be assumed to contain *PCBs* unless tested and found to contain less than 50 parts per million of *PCBs*;
- (c) Waste light ballasts shall be checked by a *competent person* to see if they may contain *PCBs*. If they are found to likely contain *PCBs*, they shall be treated as *PCB* waste and shall be *lab packed* in a 205-Litre drum that is labelled "Ballasts that may contain *PCBs*"; and
- (d) Light ballasts that are suspected of containing *PCBs* and waste oil, and paint which have been found to contain *PCBs* at or above 50 parts per million shall be reported forthwith to the *District Manager* and shall be managed in accordance with Ontario Regulation 362 and stored or removed from the *Site* to an approved *PCB* storage site, in accordance with written instructions from the *District Manager*.

29. The *Owner* may only offer waste paint for reuse provided that the following conditions are met:

- (a) the container is labelled as to its contents;
- (b) the container is undamaged such that the material may be transported without risk of leaks or spills;
- (c) all transactions are recorded by invoice; and
- (d) information on the type and volume of waste returned to the public through the *MHSW* depot shall be recorded in the records that are required by Condition 49 of this *Certificate*.

### **Site Operations - Waste Transfer Station**

30. The *Site* Transfer Station shall only accept and store the following types and quantities of wastes generated in the Township of Southgate:

- (a) wood wastes such as brush, scrap lumber and stumps limited to 62 m<sup>3</sup> at any time;
- (b) construction and demolition wastes, household bulky wastes such as furniture and mattresses, limited to 62 m<sup>3</sup> at any time;

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- (c) appliances including refrigerators and stoves and scrap metal limited to 92 m<sup>3</sup> at any time;
- (d) recyclable (Blue Box) materials limited to 31 m<sup>3</sup> at any time;
- (e) yard wastes limited to 31 m<sup>3</sup> at any time;
- (f) used tires limited to 1500 *tire units* at any time;
- (g) kitchen organics limited to 3 m<sup>3</sup> at any time; and
- (h) non-hazardous household refuse limited to 3 m<sup>3</sup> at any time.

31. The *Owner* shall ensure that:

- (a) at least one dedicated *competent person* is at the *Site* to directly supervise the operation of the *MHSW* depot;
- (b) during operating hours, all incoming *MHSW* shall be inspected by a *competent person*, prior to being accepted at the *MHSW* depot; and
- (c) that they have a current list of *competent people* at the *Site* and available for inspection by a Provincial Officer.

32. Prior to being accepted at the *Site* Transfer Station, all incoming waste shall be inspected by a *competent person* and shall only be permitted to enter the *Site* if the *Site* is approved to accept that type of waste.

33. In the event that waste or recyclable materials cannot be removed from the *Site* Transfer Station and the total approved storage capacity is reached, the *Owner* shall:

- (a) cease accepting additional waste to ensure the total approved storage capacity does not exceed the maximum amount approved by this *Certificate*; and
- (b) submit to the *District Manager*, a schedule for removal the stored waste, within five (5) days of reaching the storage capacity; and
- (c) remove stored waste in accordance with the schedule required in Condition 33 (b).

34. (a) The *Owner* shall ensure that all *white goods which contain refrigerants* accepted at the *Site* Transfer Station, and which have not been tagged by a licensed technician to verify that the equipment no longer contains refrigerants, are stored in an upright position and in such a manner to allow for the safe handling and removal from the *Site* for removal of refrigerants by a licensed technician as required by *Ontario Regulation 189*; and

(b) The *Owner* shall maintain a detailed log of all *white goods which contain refrigerants* received. The log shall include the following: date of the record, types, quantities and source of *white goods which contain refrigerants* received, details on removal of refrigerants as required by *Ontario Regulation 189* if refrigerants were removed on *Site*, and the quantities and destination of the white goods and/or refrigerants transferred from the *Site*.

35. The *Owner* shall forthwith implement the operating and maintenance procedures, as outlined in Item 3, Schedule "A", including training in these procedures.

### **Site Security**

36. The *Site* shall be maintained in a secure manner, such that unauthorized vehicles cannot enter the *Site*.

37. The *Owner* shall limit access to and from the *Site* to the approved hours of operation and when the *Site* is supervised by a *competent person*.

38. The *Owner* shall ensure that a sign, readable from the nearest public road, is posted at the entrance to this *Site* stating:

- (a) the *Owner's* name;



- (b) an emergency telephone number;
- (c) a telephone number for complaints;
- (d) operating hours; and
- (e) acceptable waste types.

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

- (a) The *Owner* shall record each complaint on a formal complaint form as provided in Item 3, Schedule "A";
- (b) The *Owner*, upon notification of the complaint shall initiate appropriate steps to determine all 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 *Owner* shall retain on-*Site* 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 reoccurrence of similar incidents.

### **Spills**

40. The *Owner* shall promptly take all necessary steps to contain and clean up any spills or upsets (including uncontrolled run-off to tile beds, drains, surface-water and groundwater supplies and wells) which result from this operation. All spills and upsets shall be immediately reported to the *Ministry's* Spill Action Centre at 1-800-268-6060 and 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.

### **Environmental Emergency Plan**

41. Within ninety (90) days of issuing this *Certificate*, the *Owner* shall have in place an Environmental Emergency Plan (E2 Plan). A copy of the E2 Plan shall be provided to the *District Manager* and the local Fire Department within 95 days of issue of this *Certificate*. The E2 Plan shall include, but is not limited to:

- (a) the preparation for, the prevention of, the response to and the recovery from an environmental emergency;
- (b) a list of emergency response equipment and spill clean up materials, including names and telephone numbers of waste management companies available for emergency response; and
- (c) a notification protocol with names and telephone numbers of persons to be contacted, including *Owner's* personnel, the *Ministry's* Spills Action Centre and District Office, the local Municipality and Fire Department.

42. The *Owner* shall annually review and update as needed the Environmental Emergency Plan. An updated copy of the E2 Plan shall be kept in a central location available to all staff and for inspection by a Provincial Officer. A copy of the E2 Plan shall be submitted within 30-days of an update to:

- (a) the *District Manager*, and
- (b) the local Fire Department.

43. The *Owner* shall ensure that:

- (a) the equipment and materials outlined in the Environmental Emergency Plan are in a good state of repair, fully operational and immediately available; and
- (b) all operating personnel are fully trained in the Environmental Emergency response equipment and materials' use and in the procedures to be employed in the event of an emergency.

### **Inspections**

44. On each operating day, a visual inspection by a *competent person* shall be conducted of the following areas of the *Site*:

- i. loading/unloading area(s);
- ii. processing area(s);
- iii. storage area(s); and
- iv. perimeter security fence or barriers.

45. A *competent person* shall inspect the entire *Site* each day the *Site* is in operation to ensure that:

- (a) the *Site* is secure;
- (b) there are any no off-*Site* impacts such as vermin, vectors, odour, dust or litter result from the operation of the *Site*;
- (c) that the operations of the *Site* are not causing any adverse effects on the environment; and
- (d) the *Site* is being operated in compliance with the *Certificate*.

46. Any deficiencies noted during the inspection shall be promptly corrected, including temporarily ceasing operations at the *Site* if needed.

47. Results of the inspection shall be recorded in the daily record log as outlined in Condition 49 of the *Certificate*.

48. The *Owner* shall have a *competent person*:

- (a) on a regular basis, inspect all containment systems for cracks and spalling;
- (b) on an annual basis, examine or test the oil storage tank to ensure there are no leaks;
- (c) remedy any malfunction and/or deficiency which these inspections, examinations or tests reveal; and
- (d) record the inspections as required by Condition 45 of the *Certificate*.

### **Daily Log Book**

49. A log book or electronic file shall be maintained for a minimum of five years and shall include daily records of the following information. All amounts must be recorded in metric units:

- (i) date of record;
- (ii) the name of carrier and waste management Certificate of Approval number if the *MHSW* waste received is from an industrial, commercial or institutional business;
- (iii) types, quantities, source and person delivering the *MHSW*;
- (iv) daily estimates of the amount of *MHSW* and other wastes stored at the *Site*;
- (v) quantities and destination of waste and residual materials shipped from the *Site*;
- (vi) quantities of paint provided to the public for reuse;
- (vii) a record of any waste refusals which shall include; amounts, reasons for refusal and actions taken;
- (viii) a list of areas inspected and deficiencies observed;
- (ix) any environmental and operational problems, that could negatively impact the environment or human health, encountered during the operation of the *Site* and any actions taken to mitigate the situation;
- (x) 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 *Act*; and
- (xi) any recommendations to minimize environmental impacts from the operation of the *Site*.

### **Annual Report**

50. By March 31, 2012, and on an annual basis thereafter, the *Owner* shall provide a copy to the *District Manager* of an annual report covering the previous calendar year. Each report shall include, as a minimum, the following information:

- (a) a summary, in tabular form where possible, of the information required to kept in Condition 49;
- (b) a statement as to compliance with all Conditions of this Provisional Certificate of Approval and with the inspection and reporting requirements of the Conditions herein;
- (c) any recommendations to minimize environmental impacts from the operation of the *Site* and to

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- improve *Site* operations and monitoring programs in this regard; and  
(d) provide a list of *competent people* at the *Site*.

### **Closure Plan**

51. (a) The *Owner* shall submit, for approval by the *Director*, a written Closure Plan four (4) months prior to the permanent closure of the *Site*. This plan must include, as a minimum, a description of the work that will be done to facilitate closure of the *Site* and a schedule for completion of that work; and

(b) Within ten (10) days after closure of the *Site*, the *Owner* must notify the *Director*, in writing, that the *Site* is closed and that the *Site* Closure Plan has been implemented.

### **SCHEDULE "A"**

This Schedule "A" forms part of Provisional Certificate of Approval No. A262302

1. Report titled "Development and Operation Plan, Village of Dundalk, Proton Landfill Site" prepared by Terraqua Investigations Ltd, dated May 1992.
2. Application for a Provisional Certificate of Approval for a Waste Disposal Site signed by Ms. Bonnie Riddell, dated December 12, 2002.
3. Documentation in Support of Application for Approval of a Waste Disposal Site dated November 25, 2002 prepared by R.J. Burnside & Associates Limited.
4. Letter from Ms. B. Riddell, Clerk Administrator, Township of Southgate, to Environmental Assessment and Approvals Branch, dated January 14, 2003 re: Notification of area property owners.
5. Letter from Mr. J. Hollingsworth, R.J. Burnside & Associates Limited, to Environmental Assessment and Approvals Branch, dated January 20, 2003 re: revised details for used oil collection.
6. Application for a Provisional Certificate of Approval for a Waste Disposal Site signed by Mr. Dave Milliner, Environmental Services Manager, Township of Southgate, dated September 4, 2003.
7. Letter from Mr. James Hollingsworth, R.J. Burnside & Associates Limited, to EAAB, dated September 9, 2003 outlining the reasons for the required amendment.
8. Application for a Provisional Certificate of Approval for a Waste Disposal Site signed by David Milliner, Environmental Services Manager, Township of Southgate, dated June 28, 2007.
9. Dundalk bulky Waste Transfer Station- Waste Depot Operations, prepared by James Hollingsworth, R.J. Burnside & Associates Limited, to EAAB, dated June 5, 2007.
10. Application for a Provisional Certificate of Approval for a Waste Disposal Site signed by David Milliner, Chief administrative Officer, Township of Southgate, dated February 25, 2011.
11. Design and Operations report with the title "Township of Southgate, Dundalk Waste Transfer Facility, MHSW Depot Operations," dated February 2011 and prepared by R.J. Burnside and Associates Limited.
12. May 20, 2011 letter from James R. Hollingsworth, P.Eng., Manager, Solid Waste Services, R.J. Burnside & Associates Limited, to Jim Chisholm, P.Eng., Ministry of the Environment.
13. June 21, 2011 letter from James R. Hollingsworth, P.Eng., Solid Waste Services, R.J. Burnside & Associates Limited, to Jim Chisholm, P.Eng., Ministry of the Environment.

### **SCHEDULE "B"**

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This Schedule "B" forms part of Provisional Certificate of Approval No. A262302

Waste	Maximum daily amount received	Maximum amount allowed to be stored at <i>Site</i>	Maximum storage time at <i>Site</i>
Used oil	2,500 litres	2,500 litres	Until tank 90% full
Anti-freeze	2,000 litres	2,500 litres	Until tank 90% full
<i>WEEE</i>	1 tonne	5 tonnes	6 months
Tires	1500 tires units	1500 <i>tire units</i>	6 months
Wet Cell Batteries	100 batteries	500 batteries	6 months
Cylinders (i.e. Propane)	100 cylinders	1000 cylinders	6 months
Paint and solvent	500 litres	2,500 litres	6 months
All other <i>MHSW</i> not covered above in this table	Reasonable amounts reflective of normal activity of <i>MHSW</i> depot	Reasonable amounts reflective of normal activity of <i>MHSW</i> depot. Maximum total <i>MHSW</i> in the 45-cubic metre <i>MHSW</i> storage container is 45 cubic metres.	6 months

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

- 1. The reason for Conditions 1, 3, 4, 5, 8, 9, 10, 11, 12, 13, 17, and 18 is to clarify the legal responsibilities and obligations imposed by this Provisional Certificate of Approval.*
- 2. The reason for Conditions 2, 22 and 27 is to ensure that this Site is operated in accordance with the application submitted by the Company, and not in a manner which the Director has not been asked to consider.*
- 3. The reason for Conditions 6 and 7 is to ensure that appropriate Ministry staff have ready access to the system in order to confirm that the system is being operated according to this Provisional Certificate of Approval. The condition is supplementary to the powers afforded a Provincial Officer pursuant to the Environmental Protection Act, the Ontario Water Resources Act, and the Pesticides Act, as amended.*
- 4. The reason for Conditions 14, 15, and 16 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.*
- 5. The reason for condition 19 is to identify the service area for the site.*
- 6. The reason for condition 20 is to specify the allowed hours of work of the site.*
- 7. The reason for Condition 21 and 25 to 32 inclusive is to ensure that the types and quantities of waste received at the Site are in accordance with that approved under this Certificate, and that waste storage is done in a manner and duration which does not result in a nuisance or a hazard to the health and safety of the environment or people.*
- 8. The reason for Condition 22 is because the landfill site is closed.*
- 9. The reason for Condition 23 is to alert any body interested in the property that it has been used as a landfill site.*

10. The reason for Conditions 24 is to prohibit the burning of waste as the landfill site is now closed and waste is no longer accepted for final disposal.

11. The reason for Condition 33 is to prevent an adverse effect from happening in the event that materials cannot be removed from the Site.

12. The reason for Condition 34 is to outline some of the requirement for the management of white goods which contain refrigerants at the site.

13. The reason for Condition 35 is so that proper operating and maintenance procedures be used at the site.

14. The reason for Conditions 36, 37, and 38 is to minimize the risk of unauthorized entry and to ensure the Site is only operated in the presence of trained personnel and to ensure proper management of waste.

15. The reason for Condition 39 is to ensure that complaints are properly and quickly resolved and that complaints and follow-up actions have been documented.

16. The reasons for Condition 40 is to ensure that the Owner immediately responds to a spill and notify the Ministry forthwith of any spills as required in Part X of the EPA so that appropriate spills response can be determined.

17. The reason for Conditions 41, 42, and 43 is to ensure that the Owner's staff are properly trained in the operation of the equipment used at the Site and emergency response procedures. This will minimize the possibility of spills occurring and will enable staff to deal promptly and effectively with any spills that do occur.

18. The reasons for Conditions 44 to 48 is to insure that the site is properly inspected and maintained.

19. The reason for Conditions 49 and 50 is to ensure that proper records of the operations of the site are kept and that the Ministry is informed annually of the operations of the site.

20. The reason for Condition 51 is to ensure that the Site is closed in accordance with MOE standards and to protect the health and safety of the environment.

**This Provisional Certificate of Approval revokes and replaces Certificate(s) of Approval No. A262302 issued on March 20, 2003, 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.*

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*This Notice must be served upon:*

The Secretary\*  
Environmental Review Tribunal  
655 Bay Street, 15th Floor  
Toronto, Ontario  
M5G 1E5

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](http://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 12th day of July, 2011

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

JC/  
c: District Manager, MOE Owen Sound  
James R. Hollingsworth, P.Eng., R.J. Burnside & Associates Limited