**AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL**
NUMBER 3197-7UDHRT
Issue Date: February 25, 2024

2667804 Ontario Inc.
899 Nebo Rd
Hamilton, Ontario
L0R 1P0

**Site Location:** 899 Nebo Road
RP 62R-10154
Lot 14, Concession 2
Hamilton City,
L0R 1P0

*You have applied under section 20.2 of Part II.1 of the Environmental Protection Act , R.S.O. 1990, c. E. 19 (Environmental Protection Act) for approval of:*

a 7.357 hectare Waste Disposal Site (Transfer)
to be used for the transfer of solid, non-hazardous waste from commercial, industrial, construction and demolition sources.
Note: Use of the site for any other type of waste is not approved under this Certificate, and requires obtaining a separate approval amending this Certificate.

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

"EPA" and "Act" mean the Environmental Protection Act, R.S.O. 1990, C.E-19, as amended;

"aerobic bioremediation" is the use of oxygen to break down contaminants including hydrocarbons and other organic compounds;

"Approval" and "Certificate" mean this Environmental Compliance Approval and any Schedules to it, including the application and supporting documentation listed in Schedule "A";

"clean wood waste" means waste that is wood or a wood product, including tree trunks and tree branches greater than 7 cm diameter, that is not contaminated with chromated copper arsenate, ammoniacal copper arsenic pentachlorophenol or creosote, is not part of an upholstered article, is not painted or stained, has minimal adhesive content, does not contain any hardware or fittings;

"Composite Samples" means samples that are made up of a number of laboratory grab samples from a single sample container that have been thoroughly mixed together;

"contaminant" is as defined in the EPA;

"Contaminant(s)" means one or more contaminants found on, in or under a project area at a concentration that exceeds the applicable excess soil quality standards for the project area or one or more contaminants identified as potentially present on, in or under a project area in an assessment of past uses or one or more contaminants found in Excess Soil accepted at the Site or in the Liquid Industrial Waste accepted at the Site;

"Contaminants of Potential Concern" is as defined in the Soil Rules;

"construction and demolition" means the construction, renovation or demolition of an industrial, commercial, institutional or residential building;

“Director” means any Ministry employee appointed in writing by the Minister pursuant to section 5 of the Act as a Director for the purposes of Part V of the Act;

“District Manager” means the District Manager of the local district office of the Ministry in which the Site is geographically located;

"Dry Soil" is as defined in O. Regulation 406/19 and within the context of this Approval also means a waste which contains Contaminant(s) and/or does not contain more than insignificant amounts of incidental debris or other non-hazardous waste handling of which is subject to the environmental compliance approval requirements under the EPA. Dry Soil is a solid non-hazardous waste that is received at the Site for temporary storage and transfer off-Site with no processing;

"Excess Soil Criteria" means the Excess Soil Standards set out in Part II of the Soil Rules and the site-specific criteria as set out in section D of Part I of the Soil Rules required for the Reuse Site;

"Excess Soil Standards" means the excess soil quality standards set out in Appendix 1 of the Soil Rules required for the Reuse Site;

"Excess Soil" is as defined in O. Regulation 406/19, and within the context of this Approval is the incoming Dry Soil and Dry Soil/Rock mixture accepted at the Site to be managed in accordance with this Approval and transferred from the Site in compliance with the requirements set out in O. Regulation 406/19. Excess Soil also means the incoming Dry Soil which does not contain more Rock than allowed for a particular

Reuse Site;

"free-phase liquid" also known as nonaqueous phase liquid, are organic liquid contaminants, characterized as being relatively immiscible with water;

"Grab Samples" within the context of this Approval, means independent sets of representative samples taken from different locations within the volume being sampled, using a systematic method of selecting random, unbiased locations and based on scientific and statistical principles applicable to sampling;

"inert fill" means rock, gravel, brick, concrete, sand and similar materials that are traditionally used as fill and, for all intents and purposes, is unresponsive to degradation or decay and is unlikely to cause environmental impacts when in contact with stormwater or soil;

"Leachate Screening Levels" means values that are listed in the tables of Leachate Screening Levels within Part II – Excess Soil Quality Standards, contained in Appendix 2 of the Soil Rules;

"Liquid Soil"is as defined in O. Regulation 406/19 and within the context of this Approval also means a waste that contains Contaminants and which has a slump of more than 150 millimetres determined using the Slump Test and which does not contain more Rock than allowed in the Excess Soil and/or which does not contain more than insignificant amounts of debris or other non-hazardous waste of which is subject to the environmental compliance approval requirements under the EPA;

“Ministry” and “MECP” means the Ontario Ministry of the Environment, Conservation and Parks;

“OWRA” means the Ontario Water Resources Act, R.S.O. 1990, c. O.40, as amended;

“O. Reg 347" means Regulation 347,  R.R.O. 1990, General - Waste Management, made under the Act, as amended from time to time;

"O. Regulation 153/04" means Ontario Regulation 153/04: Records of Site Condition - Part XV.1 of the EPA, as amended;

"O. Regulation 406/19" means Ontario Regulation 406/19, entitled "On-Site and Excess Soil Management" made under the EPA, as amended;

“Operator” means any person, other than the Owner's employees, authorized by the Owner as having the charge, management or control of any aspect of the Site;

“Owner" means any person that is responsible for the establishment or operation of the Site being approved by this Certificate, and includes 2126085 Ontario Inc., operating as Recycle City, its successors and assigns;

“PA” means the Pesticides Act, R.S.O. 1990, c. P-11, as amended from time to time;

"Potentially Contaminating Activity" is any activity listed in Table 2 to Schedule D of O. Regulation 153/04;

"Protocol for Analytical Methods Used in the Assessment of Properties under Part XV.1 of the Environmental Protection Act" means the Ministry's document entitled "Protocol for Analytical Methods Used in the Assessment of Properties under Part XV.1 of the Environmental Protection Act" dated March 9, 2004, amended July 1, 2011, and as further amended at any time;

"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 Act or section 17 of PA;

"putrescible waste" means waste of vegetable or animal origin, or of a similar nature and characteristic, that is liable to become putrid, rotten or decayed;

"Qualified Person" means a person who meets the qualifications to be a qualified person for conducting a Phase I ESA and a Phase II ESA and for completing certifications in a record of site condition, as set out in Section 5 of O. Regulation 153/04 made under the EPA. Qualified Person also means a person as defined in O. Regulation 406/19;

"Reuse Site" is as defined in O. Regulation 406/19;

"Rock" is as defined in O. Regulation 406/19;

"SAR" means sodium adsorption ratio;

"Similar" within context of this Approval means the types of Waste, tested to show that they are of comparable quality (for example: Table 1.1, 2.1 or 3.1 of the Excess Soil Standards, same Waste Class No. for Liquid Industrial Waste) required for transfer from the Site to the same final destination (for example deposition at the same Reuse Site or for further processing or Final Disposal at the same approved waste disposal site or a site approved/permitted to accept such waste by an appropriate regulatory agency of equivalent jurisdiction);

"Similar Contaminants" within the context of this Approval means Tested Soil containing contaminant(s) that exceed Table 2.1 of the Excess Soil Standards and that are identified to be within one or more of the same contaminant groups below:

Group 1: Metals and Hydride-forming Metals;

Group 2: Organic compounds such as Petroleum Hydrocarbons (PHCs), Benzene, Toluene, Ethylbenzene and Xylene (BTEX),

Group 3: Volatile Organic Compounds (VOCs), Semi-Volatile Organic Compounds (sVOCs), Polycyclic Aromatic Hydrocarbons (PAHs), etc.;

Group 4: Electrical Conductivity (EC) and Sodium Adsorption Ratio (SAR);

"Site" means the 1300 $m^2$ building, outdoor storage areas and ancillary structures (e.g. scale house), located on the 5.12 hectare property with municipal address 899 Nebo Road, Hamilton, as shown on the Site Plan referenced as Item 5 in Schedule "A";

"Slump Test" means the Test Method for the Determination of "Liquid Waste" (Slump Test) set out in Schedule 9 to O. Reg. 347;

"Soil Rules" is as defined O. Regulation 406/19;

"Soil" as defined in O. Regulation 406/19;

"Source Site" means the source of the incoming Excess Soil;

"SVOCs" means semi-volatile organic compounds;

"Table 1" means Table 1 of the Excess Soil Standards;

"Table 2.1" means Table 2.1 of the Excess Soil Standards;

"Table 3.1" means Table 3.1 of the Excess Soil Standards;

"TCLP" means the Toxicity Characteristic Leaching Procedure which is defined in O. Reg. 347 as the Toxicity Characteristic Leaching Procedure, Method 1311, that appears in United States Environmental Protection Agency Publication SW-846 entitled "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", as amended from time to time, or a test method that the Director has approved in writing as equivalent;

"Trained Person" means an employee who has received training in accordance with Condition 23.1 and is knowledgeable and able to carry out any necessary duties;

"Transfer" means the receipt, temporary storage and subsequent transport off-Site to a Reuse Site, to a waste disposal site or to any other site approved to accept such waste by an appropriate government agency of equivalent jurisdiction;

"VOCs" means volatile organic compounds. VOC means any organic compound having at 20 degrees Celsius (°C) a vapour pressure of 0.01 kilopascal or more or having a corresponding volatility under the particular conditions of use, which is released into the atmosphere;

“waste electrical and electronic equipment” and "WEEE" means a device that is a waste, that required an electric current to operate and includes household appliances, information technology equipment, telecommunications equipment, audio-visual equipment, toys, leisure equipment, sport equipment, electrical or electronic tool and instruments as listed in Schedules 1 through 7 of Ontario Regulation 393/04 Waste Electrical and Electronic Equipment made under the Waste Diversion Act 2002, and other similar electronics.

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

TERMS AND CONDITIONS

**1.0 Compliance**

1.1 The Owner 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.

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

**2.0 In Accordance**

2.1 Except as otherwise provided for in this Approval, the Site shall be designed, developed, built, operated and maintained in accordance with the application for this Approval, dated December 21, 2012, and the supporting documentation listed in Schedule “A”.

2.2 a. Use of the Site for any other type of waste, or other waste management activity, is not approved under this Certificate, and requires obtaining a separate approval amending this Certificate; and

b. Applications to amend this Certificate shall include submission of a revised Design Report / Operations Manual.

**3.0 Interpretation**

3.1 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.

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

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

3.4 The 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.

**4.1 Other Legal Obligations**

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

a. relieve any person of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement; or

b. limit in any way the authority of the Ministry to require certain steps be taken or to require the Owner to furnish any further information related to compliance with this Certificate.

4.2 All wastes at the Site shall be managed and disposed in accordance with the Act and O. Reg. 347.

4.3 The Owner shall ensure that:

a. all equipment discharging to air operating at the Site are approved under Section 9 of the Act; and

b. all effluent is discharged in accordance with OWRA.

## 5.0 Adverse Effect

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

5.2 Despite an Owner, Operator or any other person fulfilling any obligations imposed by this Certificate the person 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.

## 6.0 Change of Owner

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

a. the ownership of the Site;

b. appointment of, or a change in, the Operator of the Site;

c. the name or address of the Owner;

d. the partners, where the Owner is or at any time becomes a partnership and a copy of the most recent declaration filed under the Business Names Act, R. S. O. 1990, c. B.17, shall be included in the notification;

6.2 No portion of this Site shall be transferred or encumbered prior to or after closing of the Site unless the Director is notified in advance and sufficient financial assurance is deposited with the Ministry to ensure that these conditions will be carried out.

6.3 In the event of any change in ownership of the works, other than change to a successor municipality, the Owner shall notify the successor of and provide the successor with a copy of this Certificate, and the Owner shall provide a copy of the notification to the District Manager and the Director.

## 7.0 Financial Assurance

7.1 The Owner shall submit to the Ministry, Financial Assurance, as defined in Section 131 of the Act, $12,384.00 for the total amount of $51,384.00. This Financial Assurance shall be in a form acceptable to the Director and shall provide sufficient funds for the analysis, transportation, Site clean-up, monitoring and disposal of all quantities of waste on the Site at any one time.

7.2 Commencing on March 31, 2027 and at intervals of five (5) years thereafter, the Owner shall submit to the Director, a re-evaluation of the amount of Financial Assurance to implement the actions required under Condition 7.1. The re-evaluation shall include an assessment based on any new information relating to the environmental conditions of the Site and shall include the costs of additional monitoring and/or implementation of contingency plans required by the Director upon review of the closure plan and annual reports. The Financial Assurance must be submitted to the Director within twenty (20) days of written acceptance of the re-evaluation by the Director.

7.3 The amount of Financial Assurance is subject to review at any time by the Director and may be amended at his/her discretion. If any Financial Assurance is scheduled to expire or notice is received, indicating Financial Assurance will not be renewed, and satisfactory methods have not been made to replace the Financial Assurance at least sixty (60) days before the Financial Assurance terminates, the Financial Assurance shall forthwith be replaced by cash.

**8.0 Inspections**

8.1 No person shall hinder or obstruct a Provincial Officer from carrying out any and all inspections authorized by the OWRA, the Act, 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 Act, the OWRA or the PA.

**9.0 Information and Record Retention**

9.1 Any information requested, by the Ministry, concerning the Site and its operation under this 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**.**

9.2 The receipt of any information by the Ministry or the failure of the Ministry to prosecute any person or to require any person to take any action, under this 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.

9.3 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.

9.4 All records and monitoring data required by the conditions of this Certificate must be kept on Site for a minimum period of two (2) years from the date of their creation.

**10.0 Approved Waste Types and Processes**

10.1 This Site is approved to receive solid, non-hazardous waste from residential, commercial, industrial and construction and demolition sources, generated in the Province of Ontario and delivered to the Site by Ministry approved waste haulers and/or the general public.

10.2 This Site is prohibited from receiving the following types of waste:

a. liquid waste;

b. radioactive, hazardous or subject waste;

c. asbestos waste;

d. fill or soil which is not solid, non-hazardous Excess Soil originating in the Province of Ontario. Excess Soil includes soil that contains PHCs, PAHs, metals, inorganics, VOCs, sVOCs, and/or contains construction & demolition Debris. No Excess soil shall be received if free-phase liquid (non-aqueous phase liquid), excluding water, is present.

10.3 The waste approved for receipt in Condition 10.1, with the exception of fill and/or soil, may be received in either co-mingled or source separated form. Soil must be recived and handled separately.

10.4 a. With the exception of fill and/or soil and WEEE, the Owner may separate waste for the purpose of diverting waste from final disposal either manually or mechanically using mobile equipment (e.g. excavator with grapple hook); and

b. The Owner is prohibited from manually or mechanically disassembling WEEE.

10.5 The Owner shall ensure that all waste arriving at the Site is visually inspected by a Trained Person prior to being accepted at the Site to ensure the waste is approved for receipt at this Site.

10.6 a. If any incoming waste load is known to, or is discovered to, contain unacceptable waste, that load shall not be accepted at the Site and the source of the unaccepted waste shall be recorded;

b. If any unacceptable waste is discovered on-site, that waste shall be immediately be disposed of in accordance with the Act and O. Reg 347; and

c. All fibrous waste shall be tested to ensure that it does not contain asbestos, any asbestos waste found on-site shall be handled according to section 17 of O. Reg 347.

10.7 For Excess Soil, the following waste management activities may be carried out at the Site:

a. the receipt, temporary storage and transfer of Excess Soil; and

b. the mixing, bulking and blending of Excess Soil.

i. The Owner shall not bulk, mix or blend loads of Excess Soils from different Source Sites or bulk, mix or blend Excess Soil with Excess Soils of different quality, other wastes or materials if thepurpose of bulking, mixing or blending is to reduce or dilute concentrations of Contaminant(s) present in the Excess Soil;
ii. The Owner shall not bulk, mix or blend Excess Soils unless characterization confirms compliance with Similar Soils requirements.

10.8 When Excess Soil is destined for a Reuse Site, the following rules apply to bulking, mixing or blending of Similar Excess Soils:

a. the Owner shall ensure that all Excess Soil to be bulked, mixed or blended complies with the Excess Soil Criteria for the same proposed Reuse Site; and

b. despite provisions of Condition 10.8.a, when bulking, mixing or blending Excess Soil loads containing Contaminant(s) concentrations exceeding Table 2.1, the Owner may only bulk, mix or blend Excess Soil in compliance with the following:

  i. the Owner may only bulk, mix or blend Excess Soil loads that are characterized to have the Contaminant(s) concentrations within the same table of the Excess Soil Standards and are of the same Similar Contaminants Group.

10.9 When Excess Soil is destined for a waste disposal site for further processing limited to aerobic bioremediation, the following rules apply to bulking, mixing or blending of Similar Excess Soils:

a. the Owner shall comply with the requirements of the environmental compliance approval for that waste disposal site; and
b. despite provisions of Condition 10.9 a., when bulking, mixing or blending Excess Soil loads containing Contaminant(s) concentrations exceeding Table 2.1, the Owner may only bulk, mix or blend Excess Soil in accordance with the following:
    i. Excess Soils may be only bulked, mixed or blended together if containing Contaminant(s) that are listed in Group 2 and 3 as described in the Definition of Similar Contaminants. that can be aerobically bioremediated in accordance with the bioremediation process parameters approved in the environmental compliance approval for the waste disposal site site where bioremediation is to be carried out and in the environmental compliance approval for activities under section 9 of the EPA for the site; and
    ii. Excess Soils may be only bulked, mixed or blended together if containing Contaminant(s) from Group 1, Group 3 and Group 4 as described in the definition of Similar Contaminants. that cannot be aerobically bioremediated, but do not exceed the Excess Soil Criteria for the proposed reuse and are characterized to have the Contaminant(s) concentrations within the same table of the Excess Soil Standards and in the same Contaminant group(s).

**11.0 Incoming Excess Soil Receipt**

11.1 Prior to accepting any Excess Soil at the Site, the Owner shall acquire from the Source Site owner/generator, the documentation that contains information on the Source Site and the characterization information of the incoming Excess Soil which shall:

a. be reviewed and deemed acceptable by Trained Person

b. be for the Excess Soil from each Source Site;

c. include the following Source Site information:

   i. the generator's name and/or company name, address and contact information;

   ii. the Source Site location;

   iii. current Source Site's activities and land use;

   iv. past Source Site's activities and land use, if known. Including identifying any certain or likely Potentially Contaminating Activity; and

   v. estimated quantity of the Excess Soil to be received at the Site from that Source Site.

d. Dry Soil may be received at the Site with incomplete characterization documentation or without the required characterization documentation, provided that the Dry Soil is expected to be a solid non-hazardous waste, if one of the following requirements is complied with:

   i. the incoming Dry Soil shall be segregated from all other Dry Soils, wastes, reagents and materials, until the complete documentation is promptly provided by the Source Site owner/generator, received by the Owner and deemed acceptable by the Trained Person; or

   ii. the incoming Dry Soil shall be segregated from all other Dry Soils, wastes, reagents and materials, until the Dry Soil is characterized at the Site in accordance with this Approval.

11.2 All applicable analytical results shall be from a laboratory service provider accredited by a Canadian Association for Laboratory Accreditation or equivalent.

11.3 The documentation required in Condition 11.1 shall also include sampling and testing protocols, methods and analytical results to demonstrate that the Excess Soil is a solid non-hazardous waste. As a minimum, the characterization documentation shall include:

1. the results of any Phase I Environmental Site Assessment (ESA) and Phase II ESA undertaken for the Source Site in accordance with the Ministry's requirements under O. Regulation 153/04; and

2. the following characterization results:

a. slump from the Slump Test, if the Excess Soil has a high moisture content;

b. characterization to demonstrate that the Excess Soil is a non-hazardous waste which was done in accordance with the following:
    i. sampling and testing results to demonstrate that the Excess Soil does not trigger any criteria from the hazardous waste definition from O. Reg. 347, including TCLP analysis results, from samples,
        1. collected in accordance with the procedures set out in the Ministry’s document entitled "Principles of Sampling and Analysis of Waste for TCLP under O. Reg. 347", as amended; and
        2. tested for Contaminants of Potential Concern determined from the information contained in the general documentation required in Condition 11.1 and analyzed with methods in accordance with the Ministry-published methods and as recommended by the accredited laboratory service provider; and
    ii. if included, sampling and testing results to demonstrate that the Excess Soil is suitable for acceptance at the intended waste disposal site, as required by the:
        1. intended waste disposal site's Environmental Compliance Approval; or
        2. as instructed by the owner of the intended waste disposal site IF the intended waste disposal site's Environmental Compliance Approval does not have criteria for acceptance.

11.4 All sampling/analytical documentation for the loads of Excess Soil entering the Site shall be reviewed by Trained Person prior to Excess Soil being accepted at the Site to ensure that the Excess Soil is of a type approved for acceptance under this Approval.

11.6 Any Excess Soil characterized at the Site that is found to be unacceptable for receipt at the Site shall be deemed as Rejected Waste, and shall be transferred from the Site in accordance with the requirements of this Approval.

11.7 All Excess Soil receipt, unloading, temporary storage and loading shall be undertaken indoors within the designated building at the Site.

11.8 The Owner shall weigh all incoming and outgoing truck loads and record the results, as required by Conditions 25.1 a and 25.1b.

11.9 The Owner shall assign a unique tracking number to each load of soil received. The tracking number shall allow for soil, including soils that have been bulked, mixed or blended together, to be traced from property of origin to final destination.

**12.0 Outgoing Excess Soil Criteria**

12.1 For Excess Soil destined for final disposal at a non-hazardous waste landfill site, the Owner shall ensure that the Excess Soil has been tested for the parameters required to verify that the incoming Excess Soil is a non-hazardous waste, including the relevant parameters set out in Schedule 4 entitled “Leachate Quality Criteria” of O. Reg. 347.

12.2 For Excess Soil destined for transfer to an approved waste disposal site, the Owner shall ensure that the Excess Soil has been adequately tested to demonstrate compliance with the criteria set out in the Environmental Compliance Approval issued by the Ministry for the receiving waste disposal site or the other site approved to accept such waste by an appropriate government agency of equivalent jurisdiction.

12.3 The Excess Soil intended for transfer at the Site:

a. shall be transferred from the Site only to a Ministry approved waste disposal site or any other site approved to accept such waste by an appropriate government agency of equivalent jurisdiction;

b. shall not exceed the criteria set out in the Environmental Compliance Approval issued by the Ministry for the receiving waste disposal site or the other site approved to accept such waste by an appropriate government agency of equivalent jurisdiction; and

c. shall be subject to compliance with the applicable quality criteria and restrictions in O. Regulation 406/19.

12.4 The quantity of Excess Soil sent to a waste disposal site for final disposal shall be limited to less than 1,000 tonnes per day based on a weekly average.

a. The Owner shall ensure that no soil is transferred from the Site except to be deposited at a property or a site in accordance with one of the following criteria:

i. to an approved waste disposal facility permitted to accept soil under Part V of the EPA;

ii. to an approved waste disposal site for use as daily cover or intermediate cover in accordance with the requirements of the Environmental Compliance Approval for the receiving site;

iii. to a receiving property that has been assessed by a Qualified Person who confirms that the receiving site has a fill management plan and that the soil quantity and quality is acceptable for the intended receiving property such that it will not cause an adverse effect to human health or the environment;

iv. to a receiving property that has site specific standards developed in a risk assessment as outlined in Ontario Regulation 153/04 made under the EPA, and which the soil meets; and

b. The Owner shall ensure that for any soil that is to be transferred to a receiving property to be used as clean fill in accordance with Condition 12.4.c.iii, a copy of the analytical results are forwarded to the receiving property. If the generator has not provided these results, the Owner shall collect the required samples and submit them to an accredited laboratory and a copy of the analytical results shall be forwarded to the receiving property.

12.5 Excess Soil destined for a reuse site or a waste disposal site for further processing limited to aerobic bioremediation shall follow Conditions 10.9.a and 10.9.b respectively.

12.6. When Excess Soil is destined for a waste disposal site for further processing other than aerobic bioremediation, the Owner shall ensure that all Excess Soil loads containing Contaminant(s) concentrations exceeding Table 2.1, to be bulked, mixed or blended are in concentrations that can be processed as approved in the environmental compliance approval for that waste disposal site and as required by the waste disposal site owner.

12.7 When Excess Soil is destined for a waste disposal site for Final Disposal, the Owner shall ensure that all Excess Soil to be bulked, mixed or blended complies with the quality criteria required by the environmental compliance approval for that waste disposal site and as required by the waste disposal site owner.

12.8 When Excess Soil is destined for a site approved/permitted by an appropriate regulatory agency of equivalent jurisdiction, all Excess Soil to be bulked, mixed or blended shall comply with the applicable quality criteria and restrictions required by the said regulatory agency

**13.0 General Requirements for Characterization of Excess Soil**

13.1 For any sampling of the Excess Soil required based on the requirements of the receiving waste disposal site, the Owner shall ensure that the soils are tested using sampling procedures, including methods, equipment and techniques, for collection of representative samples and for handling of the samples as set out in the Section B of Part I of the Soil Rules or as recommended by the accredited laboratory service provider carrying out the analytical testing.

**Analytical methods**

13.2 For testing of the Excess Soil, the Owner shall:

a. for determining bulk concentrations of contaminants, use the analytical methods as set out in the Ministry's document entitled "Protocol for Analytical Methods Used in the Assessment of Properties under Part XV.1 of the Environmental Protection Act" dated March 9, 2004, amended July 1, 2011, and as further amended at any time **or** in Section B of Part I of the Soil Rules;
b. for determination of the leachate concentrations of Contaminants of Potential Concern listed in Schedule 4 of O. Reg. 347, sample the Excess Soil in accordance with the Ministry's document entitled "Principles of Sampling and Analysis of Waste for TCLP under O. Reg. 347", as amended;
c. for determination if Excess Soil is a solid or a liquid, use the Slump Test;
d. to demonstrate that the Excess Soil does not trigger any criteria from the hazardous waste definition from O. Reg. 347, including TCLP analysis, use the Ministry-published methods and if unavailable, use methods recommended by the accredited laboratory service provider; and
e. submit samples to an accredited laboratory service provider no later than instructed for the required analysis.

**14.0 Waste Quantity**

14.1 The Owner shall ensure that the Site does not receive more than 299 tonnes total per day of waste, including Excess Soil.

**15.0 Hours of Operation**

15.1 This Site is approved to operate from 12:01 am Monday through midnight Saturday.

**16.0 Signage and Security**

16.1 The Owner shall maintain the Site at all times in a secure manner, with fencing and controlled access gate, such that unauthorized vehicles cannot enter the Site.

16.2 The Owner shall limit access to and from the Site to the approved hours of operation and when the Site is supervised by a Trained Person.

16.3 The Owner shall ensure that a sign is posted at the entrance to this Site stating:

a. the Owner's name;

b. Certificate number;

c. a list of acceptable and unacceptable waste;

d. hours of operation;

e. a 24-hour telephone number that can be used to contact the Owner in the event of an emergency or complaint.

**17.0 Waste Storage**

17.1 The Owner shall ensure that the maximum amount of waste on Site, including waste destined for a recycling facility or for reuse, does not exceed 600 tonnes at any time.

17.2 The Owner shall ensure that:

a. waste destined for final disposal is stored on Site for a maximum of seven (7) days; and

b. waste destined for a recycling facility or end user (e.g. metal, cardboard etc.) is stored on Site for a maximum of 60 days.

17.3 a. The Owner shall ensure that all unloading, sorting, storage and loading of waste shall be conducted indoors; and

b. The Owner shall ensure that bulking of fill and/or soil shall only be conducted indoors.

17.4 Outdoor storage of waste destined for a recycling facility or end user is permitted as follows:

a. fill or soil, shingles, asphalt, clean wood waste and inert fill  may be stored outdoors in dedicated covered bunkers which have been identified for such storage with signage, in the area shown on the Site plan referenced as Item 5 in Schedule "A";

b. waste destined for a recycling facility or end user may be stored outdoors in enclosed trailers and/or covered (tarped) roll off containers;

c. all containers shall be labelled with their waste type.

17.5 The Owner shall ensure that:

a. the waste that is stored indoors in piles have a maximum pile height of 6 metres and:

i. a clearance of no less than 457 mm is maintained between the top of the storage piles and sprinkler head deflectors; and
ii. a clearance of no less than 300 mm is maintained between the top of storage piles and structural membranes; and

b. waste is stored in a manner which allows for "first in / first out" movement of waste; and

c. an aisle of not less than 2.4 m width is maintained for the full length of the building; and

d. access aisles of not less than 1 m width is maintained to all exits; and

e. the waste is piled in manner to ensure the piles stability.

17.6 The Owner shall ensure that all storage areas are clearly labelled as to the type of waste that is to be stored in the area.

17.7 The Owner shall ensure that all putrescible waste received at the Site, whether received in a source separated or comingled state, is handled as follows:

a. all putrescible waste shall be off-loaded inside the building in the designated area adjacent to the out-bound trailer location;

b. the designated area for putrescible waste receiving shall have an epoxy coated concrete floor maintained in good condition at all times;

c. putrescible waste received shall be immediately loaded onto an outbound trailer destined for an approved landfill facility; and

d. putrescible waste shall not remain on Site for more than 24 hours.

17.8 The Owner shall ensure that all Excess Soil follows the following requirements:

a. There must be a minimum of two (2) separated compartments, additional compartments may be added via solid separators or additional covered containers (concrete, brick, block or other ridged material able to contain excess soil in place) to allow for the segregation of soils.

b. Excess Soil loads shall be segregated via separated compartments in the covered container(s) by:

i. Source Site, if the soil quality is consistent across the Source Site; or

ii. Similar Soils, if the soil quality is known.

c. The quality of a mixture of Excess Soil loads from different Source Sites, where each soil load forming a part of the mixture has accompanying analytical data, shall be deemed to be the quality based on the maximum concentration of each contaminant present in any of the soil loads that form part of the mixture.

d. At no time shall any Excess Soil be mixed with any soil if the principal purpose of the mixing is to reduce contaminant concentrations in the Excess Soil.

e. Any Excess Soil load that does not have accompanying test data to determine the soil quality shall be kept segregated from all other soil at the Site via separated compartments in the storage bunker for:

i. transfer off-site for final disposal or further processing at a Ministry approved waste disposal site; or

ii. until the Owner has:

1. conducted sampling in accordance with the sampling/testing protocols set out in Condition 13.0 and the testing criteria set out in the Environmental Compliance Approval issued by the Ministry for the receiving waste disposal site or the other site approved to accept such waste by an appropriate government agency of equivalent jurisdiction; and

2. confirmed the soil quality via the analytical results from the testing in Condition 17.8.e.ii.1 prior to any mixing in accordance with Conditions 17.8.b and 17.8.c.

f. Each compartment containing Excess Soil shall be clearly marked with a sign indicating the contents of the compartment directly or a reference to records indicating the contents of the compartment. In either case, the contents of the bunker shall be described in terms of the following:

i. soil quality;
ii. whether the bunker contains a mixture of Similar Soils;
iii. the Source Site(s) of the soil in the bunker; and
iv. the intended waste disposal site that the soil will be hauled to.

**18.0 Nuisance Control**

18.1 The Site shall be operated and maintained such that the vermin, vectors, dust, litter, odour, noise and traffic do not create a nuisance.

18.2 If at any time vectors or vermin become a nuisance, the Owner shall hire a qualified, licensed pest control professional to design and implement a pest control plan for the Site. The pest control plan shall then remain in place until the Site has been closed and this Certificate has been revoked.

18.3 Within thirty (30) days from the date of this Certificate, the Owner shall prepare and implement a dust control program to minimize the amount of dust generated by Site activities. The dust control program shall include, but not be limited to, ensuring that vehicle routes have hard surfaces (e.g. asphalt), regularly water spraying or sweeping to control dust etc.

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

18.5 The Owner shall ensure that the exterior of all vehicles leaving this Site are clear of debris and that vehicles do not drag out onto streets waste, dirt or other contaminants.

**19.0 Stormwater Management**

19.1 The Site shall be graded and/or constructed and maintained in good order such that the Site surface remains free of any accumulation of water from rain and snow.

19.2 The Owner shall manage all discharges from this Site, including storm water run-off in accordance with appropriate municipal, provincial and/or federal legislation, regulation and by-laws.

19.3 The Owner shall ensure that waste and soil stored outdoors does not come into contact with precipitation, and that stormwater runoff from the Site is not contaminated with waste stored on Site.

## 20.0 Site Inspections and Maintenance

20.1 The Owner shall ensure that the equipment and facilities at the Site are inspected by a Trained Person on each operating day to ensure that all equipment and facilities are in good working condition and operated in a manner that will not negatively impact the environment. Any deficiencies, that might negatively impact the environment, detected during these regular inspections shall be promptly corrected.

20.2 The Owner shall ensure that a Trained Person inspects fire extinguishers on a monthly basis and spill cleanup equipment on a quarterly basis, at a minimum.

20.3 The Owner shall develop and implement a comprehensive, written preventative maintenance program in accordance with equipment manufacturers' recommendations, for all on-site equipment associated with the processing and managing of waste. The preventative maintenance program shall be available on Site for inspection by a Provincial Officer upon request.

## 21.0 Spills and Emergency Response and Reporting

21.1 The Owner shall promptly take all necessary steps to contain and clean up any spills or upsets which result from this operation.

21.2 All spills, as defined in the Act, shall be immediately reported to the Ministry's Spill Action Centre at 1-800-268-6060 and the City of Hamilton's Spill Centre at 905-540-5188.

21.3 a. The Owner shall maintain on Site a plan of the Site identifying the location of storage and/or processing areas; and

b. The Owner shall ensure the plan is a true reflection of the conditions of the Site; and

c. The plan shall be stored in a location where it is immediately available to a Provincial Officer or emergency response personnel in the event of an emergency.

21.4 Within ninety (90) days of issuing this Certificate, the Owner shall have in place an emergency response plan for the operation of the Site. The plan shall include, but is not limited to:

a. emergency response procedures to be undertaken in the event of a spill, fire, medical incident or other emergency. Procedures with respect to fires shall be acceptable to the City of Hamilton Chief Fire Official;

b. a list of equipment available in the event of an emergency, including names and telephone numbers of companies available for emergency response; and

c. a notification protocol with names and telephone numbers of persons to be contacted, including company personnel, the Ministry Spills Action Centre and District Office, the local City of Hamilton Spills number and fire department.

21.5 A copy of the emergency response plan shall be kept in a central location available to all staff and to emergency response personnel.

21.6 The Owner shall ensure that:

a. the contingency equipment and materials outlined in the emergency response plan are in a good state of repair, fully operational and immediately; and

b. all employees are fully trained in the emergency equipment and materials' use and in the procedures to be employed in the event of an emergency.

21.7 The Owner shall review the emergency response plan on an annual basis as a minimum to ensure that the plan is up to date. In particular, the Owner shall ensure that the contact names and phone numbers on the notification list required by Condition 21.4.c are current.

**22.0. Contingency Planning**

22.1 The Owner shall have in place a contingency plan which specifies, as a minimum, the procedures to be followed in the event of a labour disruption, transportation disruption, inability of receiving sites to accept waste or other business disruption to the operation.

**23.0 Training**

23.1 The Owner shall ensure that all Site personnel are trained, and receive annual refresher training, on the operation and management of the Site, or area(s) within the Site, in accordance with the specific job requirements of each individual, including but not limited to:

a. an outline of the responsibilities of the Site personnel;

b. any environmental concerns pertaining to the wastes accepted at the Site;

c. occupational health and safety concerns pertaining to the wastes received;

d. proper receiving and recording procedures (including recording procedures of wastes which are refused at the Site);

e. proper storage, handling, sorting and shipping procedures;

f. operation of equipment and procedures to be followed in the event of a process upset or an emergency situation,

g. recording procedures as required under Condition 25.0;

h. inspection procedures, as required under Condition 20.0;

i. nuisance impact control procedures;

j. procedures for recording and responding to public complaints;

k. relevant waste management legislation, including but not limited to O. Reg. 347, and O. Reg 406/19; and

l. terms, conditions and operating requirements of this Certificate.

**24.0 Complaints**

24.1 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, either electronically or in a log book, noting the following:

i. the nature of the complaint;
ii. the name, address and the telephone number of the complainant if the complainant will provide this information; and
iii. the time and date of the complaint;

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 complete and 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 recurrence of similar incidents.

**25.0 Record Keeping**

25.1 The Owner shall maintain a daily log, either in electronic or written form, in which the following information will be recorded as a minimum:

a. identifying information of waste vehicles, including vehicles delivering waste destined for a recycling facility, entering/leaving the Site including, but not limited to the name, Ministry Environmental Compliance Approval Waste Management System number and/or license plate number;

b. type and weight of waste, including waste destined for a recycling facility, delivered to, or transferred from, the Site; and

c. a running real time balance of the total waste, including waste destined for a recycling facility, present on Site.

25.2 The Owner shall maintain a record of any loads rejected. This information shall include, but not be limited to:

a. date and time;

b. name and Certificate of Approval number of waste hauler or name of individual and vehicle license plant number if a member of the general public;

c. reason for load rejection.

25.3 The Owner shall maintain written and/or electronic records of inspections and preventative maintenance programs required by Conditions 20.1 and 20.3. The records shall include, but not be limited to:

a. date of inspection and/or maintenance work;

b. name of person or company performing inspection and/or maintenance work; and

c. equipment or area that is inspected or upon which maintenance work has been performed.

25.4 The Owner shall record all spills and upsets referred to in Condition 21.1 in a written or electronic log. The information recorded in the log shall include:

a. the nature of the spill or upset;

b. the action taken for clean-up; and

c. corrective action taken to prevent future occurrences.

25.5 The Owner shall maintain a written record at the Site of the training given to employees, which includes:

a. date of training;

b. name and signature of person who has been trained; and

c. description of the training provided.

25.6 Before shipping any soil from the Site to a receiving property (that is, a property other than a waste disposal site approved under Part V of the EPA), the Owner shall require the following:

a. a record of the receiving property owner's name and/or company name, contact information, receiving site address, any correspondance with the receiving propterty, and the quantity of soil or soil-like waste being sent to the receiving property;

b. written confirmation from the Qualified Person that they:

i. have assessed the receiving property;
ii. have identified the applicable soil quality standards for the receiving property as required by the local municipality, the local Conservation Authority, any applicable provincial/federal legislation, or (in the absence of such requirements) as recommended by the Qualified Person;
iii. have reviewed the test results for the soil and agree that the testing is sufficient to establish compatibility of the waste with the receiving property and that the waste meets the criteria for the receiving waste set out in Condition 12.4.a.iii above; and
iv. agree that the soil quantity and quality meet the requirements of the fill management plan for the receiving property.

c. written confirmation from the receiving property owner that the soil quality and quantity to be provided is appropriate to the receiving property based on the recommendation of the Qualified Person, and that the receiving property agrees to accept it.

25.7 The Owner shall ensure that all written records for each load of soil, including but not limited to Qualified Person statements, analytical results and receiving site written confirmation, shall be maintained on Site for a minimum of five (5) years, and shall be made available to a Provincial Officer upon request.

**26.0 Annual Report**

26.1 By March 31 of each year, the Owner shall prepare and submit to the District Manager an annual report covering the previous calendar year. Each report shall include, as a minimum, the following information:

a. a summary of the type and quantity of all incoming and outgoing wastes;

b. any environmental and operational problems, that could negatively impact the environment, encountered during the operation of the Site and during the facility inspections and any mitigative actions taken;

c. a statement as to compliance with all Conditions of this Certificate and with the inspection and reporting requirements of the Conditions herein; and,

d. any recommendations to minimize environmental impacts from the operation of the Site and to improve Site operations and monitoring programs in this regard.

**27.0 Closure Plan**

27.1 The Owner shall submit, for approval by the District Manager, a written closure plan at least 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

27.2 Within ten (10) days after closure of the Site, the Owner must notify the Director and District Manager, in writing, that the Site is closed and that the closure plan has been fully implemented.

**28.0 Design and Operations Report**

28.1 a. The Company shall maintain an up-to-date Design and Operations Report for the facility, which shall include the following information as a minimum:

i. a high-level description of the operation;

ii. conceptual design of the waste management activities at the site;

iii. site map(s) showing the geographic location of the facility and details of the surrounding;

iv. Site plans showing the property, the interior and exterior of all on-site buildings, with labels describing all boundaries, on-site roads, security measures, constructed surfaces, buildings, waste handling and storage locations, waste management equipment, spill containment areas, drains and other details relating to the operation of the Site;

v. the hours of operation for the Site;

vi. a description of all wastes that may be received at and shipped from the Site;

vii. service area for the Site;

viii. a detailed description of all waste receiving, handling, processing and storage procedures that may be carried out at the Site, including waste screening procedures, waste refusal procedures, waste sorting procedures, waste storage procedures, waste shipping procedures, and any other procedures relating to the management of waste at the Site;

ix. a description of all emergency response and spill response procedures employed at the Site;

x. details of staff training;

xi. a description of all site security procedures and infrastructure employed at the Site;

xii. details of site inspections to be carried out at the Site;

xiii. details of nuisance abatement and complaint response procedures employed at the Site; and

xiv. drawings, diagrams and photographs that support the information required above where available.

b. i. The Design and Operations Report shall be kept up-to-date at all times so that it accurately reflects the ongoing Site activities as approved under this Approval;

ii. Changes to the Design and Operations Report that do not require an amendment to this Approval under Section 27 of the EPA shall be described within a track log in the Design and Operations Report and submitted to the District Manager for record keeping. These changes include, but are not limited to, updates in the formatting, layout, or text of the D&O Report provided that there are no changes to the approved

Design and Operations of the Site; and

iii. Changes to the Design and Operations Report that require an amendment to this Approval under Section 27 of the EPA shall not be implemented unless they have been approved by the Director, at which time the Design and Operations Report shall be updated and a record made in the track log.

c. If not already updated during the Approval process, the Owner shall update the Design and Operations Report to include the approved items and the record of the change in the revisions tracking log within thirty (30) days from the date of the Approval;

d. An updated Design and Operations Report, including the revisions tracking log noted above, shall be submitted with all future Environmental Compliance Approval applications for the Site.

e. The Design and Operations Report shall be available for inspection by a Provincial Officer upon request.

## SCHEDULE "A"

*This Schedule "A" forms part of Certificate of Approval No. 3197-7UDHRT.*

1. Application for a Provisional Certificate of Approval for a Waste Disposal Site, signed by Mr. Henry Kwasniak, President, dated August 19, 2008.

2. Design and Operations Report, 2126085 Ontario Inc., (Recycle City), received August 20, 2009.

3. Financial Assurance re-evaluation report dated March 27, 2012 from Recycle City to Ministry of the Environment.

4. Environmental Compliance Approval application, signed by Mr. Cash Banas, dated December 21, 2012.

5. Fax dated August 27, 2013 with copies of invoices from Rick Snider, Recycle City to Jelena Crnokrak, Ministry of the Environment.

6. Amended Design and Operations Report to ECA #3197-7UDHRT, prepared for 2126085 Ontario Inc. (Recycle City), prepared by A. Breberina, P.Geo, dated November 21, 2013.

7. Figure 2 - Site Plan, Operations and Traffic Flows, 899 Nebo Road, Hamilton,

Ontario dated November 21, 2013.

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

The reason for Conditions 1.0, 4.1, 5.0, 9.2, 9.3 and 20.2 is to clarify the legal rights and responsibilities of the Owner and Operator under this Certificate.

The reasons for Conditions 2.0 and 28.0 is to ensure that the Site is designed, operated and maintained in accordance with the application and supporting documentation submitted by the Owner, and not in a manner which the Director has not been asked to consider.

The reason for Condition 3.0 is to clarify how to interpret this Certificate in relation to the application and supporting documentation submitted by the Owner.

The reason for Condition 6.1 is to ensure that the Site is operated under the corporate name which appears on the application form submitted for this approval.

The reason for Condition 6.2 is to restrict potential transfer or encumbrance of the Site without the approval of the Director. Any transfer of encumbrance can be made only on the basis that it will not endanger compliance with this Certificate.

The reason for Condition 6.3 is to ensure that subsequent owners of the Site are informed of the terms and conditions of this Certificate. This also applies to all supporting documentation listed in Schedule "A".

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

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

The reason for Conditions 9.1 and 9.4 is to ensure the availability of records and drawings for inspection and information purposes.

The reason for Conditions 10.1, 10.2, 10.3 and 10.4 is to specify the approved areas from which waste may be accepted at the Site and the types of waste that may be accepted at the Site, based on the Owner’s application and supporting documentation.

The reason for Conditions 10.5, 10.6 and 10.7 is to ensure that only waste approved under this Certificate are received at the Site.

The reason for Conditions 11.0, 14.0, and 17.1 is to ensure that the quantities of waste received and stored at the Site are in accordance with the Owner's application and supporting documentation.

The reason for Condition 12.0 is to ensure allowable end-uses for the Excess Soil and to identify the soil quality criteria that must be met before the Excess Soil can be removed off-site for final disposal or further processing at an approved waste disposal site.

The reason for Condition 13.0 is to ensure that sampling and testing of Excess Soil is carried out in accordance with prescribed standards and accepted practice.

The reason for Condition 15.0 is to specify the hours of operation for the Site.

The reason for Condition 16.1 is to minimize the risk of unauthorized entry.

The reason for Condition 16.2 is to ensure that the Site is secure when unattended to prevent vandalism or theft.

The reason for Condition 16.3 is to ensure that emergency responders and the public have the necessary contact information in the event of an emergency or complaint.

Conditions 17.2, 17.3, 17.4, 17.5, 17.6, 17.7, and 17.8 are included to ensure 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.

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

The reason for Condition 18.3 is to prevent the contamination of stormwater runoff with contaminated but non-hazardous, non-registerable fill or soil.

The reason for Condition 20.0 is to ensure that all equipment and facilities are maintained in good working order.

The reason for Conditions 21.1 and 21.2 is to ensure that the Owner immediately responds to a spill, and notifies the Ministry forthwith of any spills as required in Part X of the Act, so that appropriate spills response can be determined.

The reason for Conditions 21.3, 21.4, 21.5 and 21.7 is to ensure that the Owner is prepared and properly equipment to take action in the event of a spill, fire or other operation upset.

The reason for Conditions 21.6 and 23.0 is to ensure that the Owner's staff are properly trained in the operation of the equipment used at the Site and in emergency response procedures.

The reason for Condition 22.0 is to ensure that the Owner follows a plan with an organized set of procedures for identifying and responding to unexpected but possible problems at the Site.

The reason for Condition 24.0 is to ensure that complaints are properly and quickly resolved and that complaints and follow-up actions have been documented.

The reason for Conditions 25.1 and 25.2 is to ensure that accurate waste records are maintained to ensure compliance with the conditions in this Certificate, the Act and its regulations.

The reason for Conditions 25.3, 25.4 and 25.5 is to ensure that detailed records of Site operations are recorded and maintained for inspection and information purposes.

The reason for Conditions 25.6 and 25.7 are to include new Ministry record keeping requirements for excess soil.

The reason for Condition 26.0 is to ensure that regular review of site development, operations and monitoring data is documented and any possible improvements to site design, operations or monitoring programs are identified.  An annual report is an important tool used in reviewing site activities and for determining the effectiveness of site design.

The reason for Condition 27.0 is to ensure that the Site is closed in accordance with MECP standards and to protect the health and safety of the environment.

**Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 3197-7UDHRT  issued on November 13, 2009**

In accordance with Section 139 of the *Environmental Protection Act,* you may by written notice served upon me and the Ontario Land 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 ("the Notice") shall state:

a. The portions of the environmental compliance approval or each term or condition in the environmental compliance approval in respect of which the hearing is required, and;

b. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

Pursuant to subsection 139(3) of the *Environmental Protection Act,* a hearing may not be required with respect to any terms and conditions in this environmental compliance approval, if the terms and conditions are substantially the same as those contained in an approval that is amended or revoked by this environmental compliance approval.

The Notice should also include:

1. The name of the appellant;
2. The address of the appellant;
3. The environmental compliance approval number;
4. The date of the environmental compliance approval;
5. The name of the Director, and;
6. The municipality or municipalities within which the project is to be engaged in.

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

This Notice must be served upon:

| | | |
|---|---|---|
| Registrar*<br>Ontario Land Tribunal<br>655 Bay Street, Suite 1500<br>Toronto, Ontario<br>M5G 1E5<br>OLT.Registrar@ontario.ca | and | The Director appointed for the purposes of Part II.1 of the *Environmental Protection Act*<br>Ministry of the Environment, Conservation and Parks<br>135 St. Clair Avenue West, 1st Floor<br>Toronto, Ontario<br>M4V 1P5 |

*** Further information on the Ontario Land Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349 or 1 (866) 448-2248, or** www.oltt.gov.on.ca

The above noted activity is approved under s.20.3 of Part II.1 of the *Environmental Protection Act.*

DATED AT TORONTO this 25th day of February, 2024

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

RI/
c: District Manager, MECP Hamilton - District
Brenda McGrath, Recycle City