



**PROVISIONAL CERTIFICATE OF APPROVAL
WASTE MANAGEMENT SYSTEM
NUMBER 9162-7JAQ96
Issue Date: May 11, 2009**

927889 Ontario Inc.
2751 Nixon Dr
Manotick, Ontario
K4M 1B4

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

a waste management system serving:

the Province of Ontario

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

- (a) "Act" means the *Environmental Protection Act*, R.S.O. 1990, C. E-19 as amended.
- (b) "Certificate" means this Provisional Certificate of Approval for a waste management system (processing), including all attached Schedules, issued in accordance with Section 27 of the Act;
- (c) "Company" means 927889 Ontario Inc.;
- (d) "Director" means any person(s) designated pursuant to Section 5 of the Act for the purposes of administering Part V of the Act;
- (e) "District Manager" means the Ministry's District Manager responsible for the geographic area in which the mobile unit is to be operated;
- (f) "Ministry" means the Ontario Ministry of the Environment;
- (g) "Mobile Unit" means the mobile waste disposal site (processing) listed in Schedule "B" that is approved to operate pursuant to this Certificate;
- (h) "trained" means knowledgeable regarding the terms, conditions and requirements of this Certificate, relevant environmental legislation and regulations, site operations, contingency plans, emergency procedures, and relevant health, safety and environmental concerns pertaining to waste management and disposal; and
- (i) "O. Reg. 347" means Ontario Regulation 347 (General - Waste Management Regulation), R.R.O. 1990, as amended.

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

TERMS AND CONDITIONS

GENERAL CONDITIONS

1. Except as otherwise provided by these conditions, the mobile waste disposal site shall be operated in accordance with the Application for a Provisional Certificate of Approval for a Waste Disposal Site dated July 17, 2007 and with the

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supporting information submitted to the Ministry as part of the application listed in Schedule "A". Should there be any discrepancies between any of the Schedules and the conditions in this Certificate, the conditions shall take precedence. Should there be discrepancies between the documents listed in Schedule "A", the document bearing the most recent date shall take precedence.

2. In the event that the Company proposes to operate the additional mobile units or equipment different than approved in this Certificate and listed in Schedule "B", the Company shall apply to the Director for an amendment to this Certificate.

3. The requirements specified in this Certificate are the requirements under the Act. The issuance of this Certificate in no way abrogates the Company'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 requirement of this Certificate, or the application of any requirement of this Certificate, to any circumstances, is held invalid, the application of such requirement to other circumstances and the remainder of this Certificate shall not be affected thereby.

5. The Company shall ensure that all communications/correspondence made pursuant to this Certificate reference this Certificate number.

6. The Company 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 *Ontario Water Resources Act*, R.S.O. 1990, 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,

without restricting the generality of the foregoing to:

(b) i. enter upon the premises where the records required by the Conditions of this Certificate are kept;
ii. have access to and copy, at any reasonable time, 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.

7. (a) The Company 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 Company 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 Company, or to require the Company 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 Company relating to the Information, amounting to non-compliance with this Certificate or any statute or regulation.

SCOPE

8. The Company shall ensure that the Equipment is not operated more than sixty (60) calendar days per year at any one site.

9. No waste shall be transported in the Mobile Unit.

10. (a) The Mobile Unit shall only be operated at:

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- (i) a site where the waste is generated; or
- (ii) a site that is a waste disposal site that has a Certificate of Approval under Section 27 of the Act to receive, store and process the waste approved in this Certificate, from other generators/sites; or
- (iii) a leaf & yard waste site that is exempt from Section 27 of the Act under Section 34 of the *Ontario Regulation 101/94*; or
- (iv) a woodwaste combustor site that is exempt from Section 27 of the Act under Section 28 of O. Reg. 347.

(b) If the Mobile Unit is operated at a waste disposal site that has a Certificate of Approval under Section 27 of the Act, the Certificate of Approval for the waste disposal site must approve the type of waste processing offered by the operation of the Mobile Unit.

11. When the Mobile Unit is operated at a waste disposal site that has an approval under Section 27 of the Act for the operation of such a unit, Conditions 8, 16, 17 and 24 do not apply. The Company shall comply with all conditions of the approval for the waste disposal site as they relate to the operation of the unit. Should there be discrepancies between the conditions of this Certificate and those of the Certificate of Approval for the waste disposal site where the Mobile Unit is operating, the conditions of the latter shall take precedence.

12. When the Mobile Unit is operated at a leaf and yard waste composting site which has been exempted from Sections 27, 40 and 41 of the Act, under Section 34 of the *Ontario Regulation 101/94*, the conditions of this Certificate do not apply.

13. Prior to processing of any waste at the generator's site, the Company shall determine the proposed end use of the processed waste. If the proposed end use of the processed waste is exempt in accordance with Section 3 of O.Reg. 347, the conditions of this Certificate do not apply.

14. The Company shall ensure that all wastes generated by the use of the Mobile Unit are transported from the Site by an approved waste transportation system, as defined under O. Reg. 347 for disposal or further processing at a waste disposal site approved to receive and/or process such waste.

IDENTIFICATION

15. The Mobile Unit shall be clearly marked, on both sides, with the following information being displayed:

- (a) the Company name; and
- (b) this Certificate number.

NOTIFICATION

16. (1) The Company shall notify the District Manager, in writing, of its intent to operate the Mobile Unit at the site in the District Manager's area of jurisdiction. The notification shall be submitted no less than three (3) business days prior to operation.

(2) The notification shall include but not be limited to the following information:

- (i) name, address, telephone number, and location of the site at which the Company intends to operate;
- (ii) Certificate of Approval Number issued under Section 27 of the Act if the site is a waste disposal site approved to receive, store and process waste approved in this Certificate, from other generators/sites;
- (iii) description of Mobile Unit, operating plan and emergency plan for the operation;
- (iv) site plan for the location where the Company intends to operate, including property boundaries, buildings, placement of the Mobile Unit on the site, usage of properties adjacent to site, location of overnight storage of equipment, storage location of waste to be processed and of processed waste to be left on site and site fencing and access control;

- (v) general description of the waste to be processed;
- (vi) proposed volume of waste to be processed;
- (vii) proposed final destination of the processed waste;
- (viii) anticipated date of commencement of the operation;
- (ix) hours of operation for the Mobile Unit;
- (x) anticipated completion date of the operation;
- (xi) reference to this Certificate number of this Certificate and all Notices of Amendment numbers, if any;
- (xii) proof of Director's acceptance of the financial assurance for the Mobile Unit; and
- (xiii) a copy of the municipal notification.

(3) The Company shall provide to the District Manager any additional information that the District Manager may require. This information must be submitted within a time period acceptable to the District Manager.

(4) Should the District Manager require additional information, the Company shall not allow the Mobile Unit to be located or operated at the site until the District Manager has provided, in writing, his concurrence of all required additional information.

(5) The District Manager may delete any of the items required in the notification list included in the Subsection (16)(2).

17. (a) A copy of the notification referred to in Condition 16 shall also be submitted to the clerk of the municipality in which the Company intends to operate or to such other municipal officer that the clerk designates in writing. The notification shall be submitted a minimum of three (3) business days prior to the date of commencement of the operation. Should the services be provided to a municipality, notification of the municipal clerk is not required.

(b) The Company shall also notify, in writing, the local fire department, that the Mobile Unit is to operate in the area of its jurisdiction.

OPERATION

18. The following waste type(s) may be processed by this Mobile Unit:

- (a) municipal waste, limited to woodwaste and leaf and yard waste.

All waste shall be inspected by trained personnel, prior to being processed by the Mobile Unit, to ensure that the Mobile Unit is approved to process that type of waste.

19. The Mobile Unit shall only be operated when the appropriately trained personnel are in attendance.

20. The Company shall ensure that after the processing of waste is completed, the Mobile Unit is cleaned of any residual waste. The waste resulting from the cleaning activities shall be handled in accordance with the O.Reg. 347.

21. A copy of this Certificate, in its entirety and including all Notices of Amendment, if any, shall be with the Mobile Unit at all times that the Mobile Unit is operated, or is located at sites where operation is to occur, pursuant to this Certificate.

22. Prior to the operation of the Mobile Unit, the Company shall compile a Mobile Unit Operations Manual, for use by Mobile Unit operators and to contain as a minimum the following information:

- (a) waste screening procedures to ensure that only approved waste is processed by the Mobile Unit;

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- (b) handling and processing procedures for the waste, for the processed material and for the by-product wastes;
- (c) operating parameters for the Mobile Unit;
- (d) maintenance and inspection protocols for the Mobile Unit ;
- (f) record keeping requirements outlined in this Certificate;
- (e) outline of the responsibilities of the Mobile Unit operators;
- (f) personnel training protocols;
- (g) contingency measures for the emergency situations and the emergency situation response plan, and
- (h) complaint handling procedures outlined in this Certificate.

23. (a) The Mobile Unit Operations Manual shall be maintained in a up-to-date manner and shall made available for inspection by Ministry staff as requested.

(b) Changes to the Mobile Unit Operation Manual shall be only made with a written concurrence of the District Manager or following an approval by the Director, if such approval is deemed necessary by the District Manager.

RECORD KEEPING

24. (1) The Company shall prepare a report at the completion of the operation of the Mobile Unit at a site.

(2) The report shall include but not be limited to the following:

- (a) confirmation of the notification referred to in Condition 16;
- (b) total volume of waste that was processed by the Mobile Unit, to remain at the generator's site;
- (c) type and total volume of by-product wastes generated by the operation of the Mobile Unit, to remain at the generator's site;
- (d) dates and hours of operation at the generator's site including the actual date when processing commenced and the date when processing was completed;
- (e) records of any spills or upsets that occurred during the operation of the Mobile Unit; and
- (f) records of the environmental complaints, including the following information:
 - (i) time and date of the complaint;
 - (ii) description of the complaint;
 - (iii) operating conditions at the time of the complaint;
 - (iv) weather conditions at the time of the complaint;
 - (v) cause of the complaint;
 - (vi) remedial measure taken to alleviate the cause of the complaint; and
 - (vii) measures taken to prevent re-occurrence in the future.

25. All records required by the conditions of this Certificate shall be kept by the Company for a minimum period of two (2) years from the date of their creation.

TRAINING

26. All operators of the Mobile Unit shall be trained with respect to the following areas:

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- (a) terms, conditions and operating requirements of this Certificate;
- (b) operation, maintenance and inspection of the Mobile Unit in accordance with the Operations Manual;
- (c) any environmental concerns pertaining to the wastes to be processed;
- (d) occupational health and safety concerns pertaining to the wastes to be processed;
- (e) relevant waste management legislation, regulations and the Act; and
- (f) operation of equipment and procedures to be followed in the event of a spill or other emergency in accordance with the Operations Manual.

The Company shall maintain a written record of the successful completion of training by all operators of the Mobile Unit, including a description of the training provided, the date the training was completed, and the signature of the operator.

EMERGENCY SITUATION HANDLING and CONTINGENCY MEASURES

27. (1) The Company shall promptly take all necessary steps to handle an emergency situation to minimize its impact on the natural environment. All wastes resulting from handling of the emergency situation shall be contained and cleaned up.
- (2) All wastes resulting from an emergency situation shall be managed and disposed of in accordance with O.Reg. 347.
- (3) The Company shall record in a log book the nature of the spill or upset and the measures taken to contain the spill and prevent its recurrence.
28. All equipment and materials required to handle the emergency situations shall:
- (a) be kept on hand at all times that the Mobile Unit is in operation; and
 - (b) be adequately maintained and kept in good repair.

NOTIFICATION OF CHANGES

29. (1) The Company shall notify the Director, in writing, of any of the following changes within thirty (30) calendar days of the occurrence of the change:
- (a) change of owner or operator, or both;
 - (b) change of address, or address of new owner or operator;
 - (c) change of partners where the Company is or at any time becomes a partnership, and a copy of the most recent registration registered under the *Business Names Act* shall be included in the notification to the Director;
 - (d) change of name of the corporation where the Company is or at any time becomes a corporation, and a copy of the most current "Initial Notice of Notice of Change" (Form 1, 2 or O. Reg 189, R.R.O. 1980, as amended from time to time), filed under the *Corporation Information Act* shall be included in the notification to the Director; and
 - (e) change in director(s) or officer(s) of the corporation where the Company is or at any time becomes a corporation, and a copy of the most current "Initial Notice or Notice of Change" as referred to in (d).
- (2) In the event of any change in ownership of the Mobile Unit, the Company shall notify the succeeding (new owner) company of the existence of this Certificate, and a copy of such notice shall be forwarded to the Director.

FINANCIAL ASSURANCE

30. (1) Before processing of any waste, the Company shall provide to the Director with the Financial Assurance, as defined in Section 131 of the Act, in the amount of \$5,000.00 for the Mobile Unit.

(2) Financial Assurance may be provided in one of the following forms:

- (a) cash; or
- (b) letter of credit; or
- (c) bond; or
- (d) other form;

all, satisfactory to the Director.

(3) No processing operations shall be carried out, or any waste accepted at the site, unless the Ministry has received and approved the appropriate amount of Financial Assurance as outlined in subsection (1) above.

(4) This Certificate number shall be included on any correspondence related to the Financial Assurance that is to be submitted to the Director.

(5) The amount of Financial Assurance is subject to review at any time by the Director and may be amended at his/her discretion. In the event that the financial assurance is scheduled to expire or notice is received that it will not be renewed and a replacement in a form satisfactory to the Director is not received at least sixty (60) calendar days before the expiry or the renewal date the Company shall replace it with a cash deposit.

(6) The Financial Assurance may be used for any expenses incurred by her Majesty the Queen in Right of Ontario, including cash deposits made under this condition or payment under Part XII of the Act, related to any waste management activity of the Company or its successors and assignees.

SCHEDULE "A"

This Schedule "A" forms part of this Provisional Certificate of Approval for a Waste Disposal Site

Information relied upon in the issuance of this Certificate:

1. The Application for a Provincial Certificate of Approval for a Waste Disposal Site dated July 17, 2007, signed by Terry Morrison, President, 927889 Ontario Inc., including all supporting documentation.
2. Fax dated September 12, 2007 from Terry Morrison, President, 927889 Ontario Inc., to Maglosia Ciesla, MOE, with additional administrative information.
3. Document entitled "Ter-Mor Enterprises (927889 Ontario Inc.) Application - Certificate of Approval, Mobile Wood Processing, Design and Operations Report" describing the use and operation of the mobile unit, dated May 2007.
4. Letter dated March 4, 2007 from Joanne & Terry Morrison, 927889 Ontario Inc., to Jatinbhai Patel, MOE, with additional information on: 1) types of wastes to be processed; 2) description of technology to be used and process flow description; 3) confirmation that application is for one (1) mobile unit; 4) confirmation of ownership; 5) maximum processing capacity; 6) confirmation that application for Certificate of Approval for Air will be made; 7) description of dimensions of the mobile unit.

SCHEDULE "B"

This Schedule "B" forms part of this Provisional Certificate of Approval for a Waste Disposal Site

Mobile Unit Approved for Operation of this Certificate of Approval

Description	Manufacturer	Model No.
Duratech tub grinder, with screens and discharge conveyor	Duratech	HD12

Storage location:

5712 Snake Island Road
Osgoode, Ontario
K4M 1B4

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

GENERAL

- 1. Conditions 1 and 2 are included to set out clearly that the waste disposal site is to be operated in accordance with the application for this Certificate and supporting information submitted by the Company, and not in a manner which the Director has not been asked to consider.*
- 2. Conditions 3 and 4 are included is to clarify the legal rights and responsibilities of the Company.*
- 3. Condition 5 is included to ensure that all communications regarding this Certificate clearly refer to this Certificate by including the unique number assigned to this Certificate.*
- 4. Conditions 6 and 7 are included to ensure that the appropriate Ministry staff have ready access to information regarding the operations of the Mobile Units which are approved under this Provisional Certificate of Approval, and to the locations at which the Mobile Units operate. The Conditions are 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.*

SCOPE

- 5. Conditions 8, 9 and 10 are included to reflect the fact that the Mobile Unit is the equipment approved to undertake mobile processing. Condition 9 is also included to prohibit transport of waste in the Mobile Unit since that was not considered by the Director under this approval. Conditions 8 and 10 are also included to ensure that the location of the operation of the Mobile Unit does not become a permanent waste disposal site as such operation was not considered by the Director under this approval.*
- 6. Condition 11 is included to clarify which conditions do not apply when the Mobile Units are operated at a waste disposal site that has approval under Section 27, of the Act, for operation of a such Mobile Units, and to clarify that the Mobile Units shall not operate at a waste disposal site that has approval under Section 27, of the Act and that does not permit operation of such a Mobile Units.*
- 7. Condition 12 is included to clarify which conditions do not apply when the Mobile Units are operated at a leaf & yard waste composting site which has been exempted from Section 27, 40 and 41 of the Act under Ontario Regulation 101/94 Section 34.*
- 8. Condition 13 is included to ensure that the Company follows the conditions of this Certificate if the end use of the processed waste is not exempt from Part V of the Act and Regulation 347.*
- 9. Condition 14 is included to ensure that the waste generated by the Company is handled according to the Act and the relevant regulations.*

IDENTIFICATION

- 10. Condition 15 is included to require the Company to provide visible identification for the Mobile Units as an authorized waste management facility and for inspection purposes.*

NOTIFICATION

- 11. Conditions 16 and 17 are included to require notification of the District Officer and the local municipal officials, including the local fire department of the Company's intent to operate the Mobile Units in their area of jurisdiction, and to allow for additional requirements to be placed on the Company in order to address concerns specific to the proposed operation of the Mobile Units.*

OPERATION

12. Condition 18 is included to ensure that the Mobile Unit only handles and processes the waste applied for, as the handling or processing of waste not approved in this Certificate may create a nuisance or result in a hazard to the health and safety of any person or the natural environment.

13. Condition 19 is included to require attendance of trained personnel during the operation of the Mobile Units to ensure the proper management of waste and minimize the likelihood of accidental discharges of contaminants to the natural environment.

14. Condition 20 is included to ensure that the Mobile Unit is cleaned after processing to avoid transportation of any waste in the mobile unit.

15. Condition 21 is included to provide easy access to the listing of the terms, conditions and operating requirements to operators and personnel working on the Mobile Unit as well as to Ministry staff who may be inspecting the Mobile Unit.

16. Conditions 22 and 23 are included to require the Company to prepare a concise and easy to up-date document describing the operation of the Mobile Unit, and including the original design and operating procedures of the Mobile Unit and any changes resulting from the Ministry's review of the proposal. Condition 22 is also included to provide easy access to the design and the operating procedures of the Mobile Unit to the operators and personnel working with the Mobile Unit as well as to Ministry staff who may be inspecting the Mobile Units.

RECORD KEEPING

17. Conditions 24 and 25 are included to require the Company to create and retain records for a minimum period so that the environmental impact and subsequent compliance with the Act, the regulations and this Certificate can be verified.

TRAINING

18. Condition 26 is included to require all operators of the Mobile Units to be properly trained so that the Mobile Units are operated in an environmentally acceptable manner and does not pose a threat to the health and safety of any persons or the natural environment.

EMERGENCY SITUATION HANDLING and CONTINGENCY MEASURES

19. Conditions 27 and 28 are included to minimize the environmental impact of any spills that may occur during the operation of the Mobile Units.

NOTIFICATION OF CHANGES

20. Condition 29 is included to require the Company to provide notification so that the waste disposal sites (processing) are operated under the corporate name which appears on the application submitted for this Certificate and not under any name which the Director has not been asked to consider.

FINANCIAL ASSURANCE

21. Condition 30 is included to assure the availability of funds for clean up of any discharges of contaminants to the natural environment should the Company refuse to do so.

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:

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1. The portions of the approval or each term or condition in the approval in respect of which the hearing is required, and;
2. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The Notice should also include:

3. The name of the appellant;
4. The address of the appellant;
5. The Certificate of Approval number;
6. The date of the Certificate of Approval;
7. The name of the Director;
8. The municipality within which the works are located;

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

This Notice must be served upon:

The Secretary*
Environmental Review Tribunal
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**

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

DATED AT TORONTO this 11th day of May, 2009

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

AN/
c: District Manager, MOE Ottawa
Terry Morrison, Ter-Mor Enterprises