



**AMENDED PROVISIONAL CERTIFICATE OF APPROVAL**  
**WASTE MANAGEMENT SYSTEM**  
 NUMBER 5241-4JCL56  
 Issue Date: June 17, 2011

Entec Waste Management Inc.  
 224393 Ostrander Road  
 Lot PT 5, Concession 8, Part 1, Ref. Plan 41R7203  
 South-West Oxford, Ontario  
 N4G 4H1

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

a waste management system for the management of non-agricultural source material and processed organic waste serving:  
*the Province of Ontario.*

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

- a. "**Certificate**" means this entire Provisional Certificate of Approval including its schedules, if any, issued in accordance with Section 27 of the EPA;
- b. "**Company**" means Entec Waste Management Inc., or its agents or assignees;
- c. "**Director**" means a s. 39 EPA Director, Environmental Assessment and Approvals Branch, Ontario Ministry of the Environment;
- d. "**District Manager**" means the District Manager of the MOE district office in the geographic area for which Soil Conditioners are to be applied on Sites;
- e. "**EPA**" means the *Environmental Protection Act* R.S.O. 1990, Chapter E.19
- f. "**EPA Land Application Approval**" means a certificate of approval or provisional certificate of approval under Part V of the EPA for land application of a Soil Conditioner that has been issued by the Director;
- g. "**EPA Land Application Approval Site**" means a site that has a valid EPA Land Application Approval;
- h. "**Guidelines**" refers to the publication entitled "Guidelines for the Utilization of Biosolids and Other Wastes on Agricultural Land", dated March 1996, as amended.
- i. "**Ministry**" and "**MOE**" means the Ministry of the Environment;
- j. "**NASM Plan Area**" means a NASM plan area as defined by O. Reg. 267/03 under the NMA.
- k. "**NMA NASM Site**" means a NASM Plan Area that has been established in accordance with O. Reg. 267/03 under the NMA and complies with Section 8.3 of that regulation.
- l. "**NMA**" means the *Nutrient Management Act 2002*, S.O, 2002 Chapter 4
- m. "**NASM**" means non-agricultural source material as defined by O. Reg. 267/03 under the NMA

## CONTENT COPY OF ORIGINAL

- n. "**Land Application Site**" means a NMA NASM Site or EPA Land Application Approval Site.
- o. "**Land Application Site Operator**" means the person or persons responsible for managing the farming operations or land application of Soil Conditioner at a Land Application Site and may include the Land Application Site Owner;
- p. "**Land Application Site Owner**" means the owner of the land where a Land Application Site is located;
- q. "**Processed Organic Waste**" means processed organic waste as defined by Regulation 347 under the EPA.
- r. "**Soil Conditioner**" means NASM, processed organic waste, or other materials including biosolids applied to land to improve its characteristics for crop or ground cover growth;
- s. "**Site**" means a NMA NASM Site, EPA Land Application Approval Sites, a Waste Disposal Site Approved Under Part V of the EPA, or a sewage works approved under Section 53 of the *Ontario Water Resources Act*.

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

### **TERMS AND CONDITIONS**

#### **GENERAL**

1. This Certificate supersedes and replaces all previously issued Certificates of Approval or any other Provisional Certificate of Approval issued under Part V of the EPA with respect to this specific operation.
2. This Soil Conditioning Waste Management System shall be operated in accordance with the application for the Certificate of Approval, the supporting information, and the plans and specifications listed on Schedule "A".
3. The requirements specified in this Certificate are requirements under the EPA. 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 circumstance, is held invalid, the application of such requirement to other circumstances and the remainder of this Certificate shall not be affected in any way.
5. The Company must ensure compliance with all terms and conditions of this Certificate. Any non-compliance constitutes a violation of the EPA and is grounds for enforcement.
6. a. The Company shall, forthwith upon request of the Director, District Manager, or Provincial Officer (as defined in the EPA), 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.

## CONTENT COPY OF ORIGINAL

7. When a conflict exists between the conditions of this Certificate and the items listed on Schedule "A", the provisions of this Certificate shall prevail. When a conflict exists between items on Schedule "A", the most recent item shall prevail.
8. The Company shall ensure that all communications/correspondence made in relation to this waste management system or to this Certificate includes reference to this Provisional Certificate of Approval number.
9. The Company shall notify the Director in writing of any of the following changes, within thirty (30) days of the change occurring:
  - a. a change of partners where the Company is or at any time becomes a partnership, and a copy of the most recent declaration filed under the *Business Names Act*, shall be included in the notification to the Director;
  - b. a 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 or Notice of Change" (form 1 or 2 under Regulation 182 made under the *Corporations Information Act*, R.S.O. 1990 c. C.39, ) and filed under the *Corporations Information Act*, shall be included in the notification to the Director; and
  - c. a change in directors or officers 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 10(b), supra.
  - d. Change of owner/address of the Company truck storage yard(s).
10. 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.
11. All records and monitoring data required by the conditions of this Certificate must be kept on the Company's premises for a minimum period of five (5) years from the date of their creation.

### **OPERATING CONDITIONS**

12. Soil conditioners shall only be delivered to an NMA NASM Site, EPA Land Application Approval Site, a Waste Disposal Site Approved Under Part V of the EPA, or a sewage works approved under Section 53 of the *Ontario Water Resources Act*.
13. Soil Conditioner may only be collected, transported or handled from facilities for which a valid contract is in place between the generator of the Soil Conditioner and the Company.

#### **NMA NASM Sites**

14. This approval does not authorize land application or storage of Soil Conditioner at a NMA NASM Site. For clarity, once transferred to a NMA NASM Site the Soil Conditioner must be managed and land applied in accordance with O. Reg. 267/03 under the NMA.

#### **EPA Land Application Approval Sites**

15. Soil Conditioners transferred to an EPA Land Application Approval Site; may only be transferred to a site that is approved to receive the Soil Conditioner.
16. a. The application rate, timing, and operational procedures for applying Soil Conditioner to EPA Land Application Approval Sites shall be done in accordance with the following:
  - i. nitrogen fertilizer recommendation for the crop, as described in the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) Publications 811 (*Agronomy Guide for Field Crops*) and 360 (*Fruit Production Recommendations*), which are revised annually;
  - ii. the conditions of this Certificate;

## CONTENT COPY OF ORIGINAL

- iii. the application and supporting information for the EPA Land Application Approval Site submitted to the District Manager to obtain Site approval;
- iv. the conditions set out in the approval for the EPA Land Application Approval Site issued by the Director; and,
- v. the Guidelines.

In no case shall the application rate exceed that prescribed in the Guidelines unless specifically approved in the EPA Land Application Approval Site.

- b. The application of Soil Conditioner shall be such that it does not cause surface runoff or result in groundwater contamination.
- c. Soil Conditioner shall not be applied when the depth to the water table is less than 0.9 metres.
- d. If subsurface injection is used, the depth to the water table, at the time of application, less the depth of injection must be equal to or greater than 0.9 metres.
- e. Application of Soil Conditioner shall not be carried out:
  - i. when frozen ground conditions prevent the immediate infiltration or incorporation of Soil Conditioner into the soils;
  - ii. on ice or snow covered soils; or
  - iii. during rain causing runoff.
- f. For spring application, fields shall only be used after spring flooding has receded.
- g. The Company shall ensure that each Site is designed such that the Land Application Site Owner/Operator is capable of complying with the appropriate waiting periods between the application of Soil Conditioner and cropping and pasturing as specified in the Guidelines.
- h. If at any time the results of the monthly Soil Conditioner analysis (12 month moving average) exceeds the standards identified in the Guidelines, the Company will immediately notify the District Manager and no further Soil Conditioner application from that facility will take place without the District Manager's express written approval.
- i. The Company shall notify the District Manager in writing of any of the following changes, within thirty (30) days of becoming aware of the change occurring:
  - i. change of the Land Application Site Owner or Land Application Site Operator or both;
  - ii. address of the new Land Application Site Owner or change of address; and
- j. Further application of the Soil Conditioner to the Land Application Site requires the written consent of the new Owner or his/her legally designated agent.

### **VEHICLES AND EQUIPMENT**

17. Only vehicles approved for the collection and transportation of the Soil Conditioner under this Certificate shall be used. Any addition, deletion or other change to the fleet of vehicles, trailers and equipment including year, make, model, serial number, licence number and ownership of each vehicle, trailer or piece of equipment including any of the forgoing that are

## CONTENT COPY OF ORIGINAL

leased or rented shall be reported, in writing, to the Director within fourteen (14) days of any such change.

18. The Company shall ensure that its staff are trained in the operation and maintenance of the specific equipment which they operate in conjunction with the collection transport and handling of Soil Conditioner and in emergency procedures in the event of a spill.

19. The Company shall conduct regular inspections of the equipment under its care and control to ensure that all equipment is operated in a manner that will not cause and adverse effect on the environment. Any deficiencies that could have an adverse effect on the environment shall be promptly corrected. A written record shall be maintained which shall include, as a minimum, the following:

- a. name and signature of the trained personnel conducting the inspection;
- b. date and time of the inspection;
- c. list of equipment inspected and all deficiencies observed that could have an adverse effect on the environment;
- d. recommendations for remedial action and actions undertaken;
- e. date and time of maintenance activity; and
- f. a detailed description of the maintenance activity.

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

21. The Company shall ensure that its vehicle liability policy, or combination of vehicle and environmental liability insurance policies, cover accidents, including spills, associated with each vehicle and the use and operation of equipment on each vehicle while the vehicle is stationary or in motion.

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

- a. a copy of this Certificate;
- b. a certificate verifying the driver's successful completion of a training and safety program, if required by Regulation 347 under the EPA; and
- c. a certificate of vehicle liability insurance specifying that it provides coverage of a minimum of one million dollars (\$1,000,000.00) until such time as this Certificate is revoked.

23. Soil Conditioner shall not be collected, handled or transported from a facility unless a valid contract is in place between the generator of the Soil Conditioner and the Company.

### **RECORD KEEPING**

24. When a Soil Conditioner is collected by the Company, the Company shall make a record that includes:

- a. the name and location of the facility from which the soil conditioner was collected;
- b. the type and quantity of soil conditioner collected;
- c. the date the soil conditioner is collected;
- d. the name and the applicable approval number of the intended Site to which the soil conditioner will be delivered;

25. A copy of the record described in Condition 24 shall be provided to the operator of the facility from which the Soil Conditioner was collected and a copy shall be retained in the vehicle during transport of the Soil Conditioner.

26. Upon delivery of Soil Conditioner to a Site the record referenced in Condition 24 shall be updated to identify the actual receiving Site if different from the intended receiving Site and a copy shall be provided to the receiving Site and the record shall be retained by the Company for a period of five years.

**ANNUAL REPORT**

27. The Company must keep written records in order to complete an Annual Report by March 31st of each year, covering the previous calendar year. The Report shall be prepared and retained at the Company's place of business. This Report shall include, but is not limited to:

- a. a list of all Sites and their locations where Soil Conditioner was applied or disposed;
- b. a complete and up-to-date record showing when, and the source and quantity of Soil Conditioner applied or disposed at each site;
- c. details as to the nature of any spill or upset occurring, and the action taken for clean-up, correction and prevention of future occurrences; and
- d. a statement as to the compliance with all conditions of this Certificate and with the inspections, monitoring, and reporting requirements of the conditions herein.
- e. results of all analysis conducted on Soil Conditioners, soil and water as required by the conditions of this Certificate and the EPA Land Application Approval Site.

28. The Company shall promptly take all necessary steps to contain and clean up any spills which result from operations. All spills and upsets shall be immediately reported to the Ministry's Spills Action Centre at (416) 325-3000 or 1-800-268-6060, and shall be recorded as part of the records required under condition 24 of this Certificate as to the nature of the spill or upset, and the action taken for clean-up, correction and prevention of future occurrences.

**SYSTEM CLEAN-OUT PROCEDURE**

29. The Company shall ensure that:

- a. any part of the system that comes into contact with Soil Conditioner is cleaned prior to being used for hauling other types of waste or materials; and
- b. any part of the system that comes into contact with other types of waste or materials is cleaned prior to being used for hauling Soil Conditioner.

**SCHEDULE "A"**

*This Schedule "A" forms part of this Provisional Certificate of Approval:*

- 1. Application dated September 29, 1998 and the supporting information for an Organic Waste Management System.
- 2. Facsimile dated October 8, 1998, from Glenn Ross, MOE, to Guy Potter, Approvals Branch, enclosing two sites for spreading on farmland.
- 3. Facsimile dated October 9, 1998, to Guy Potter, Approvals Branch, MOE, from Murray McLaughlin, Salcin Haulage, enclosing additional Sites for spreading on farmland.
- 4. Application dated February 14, 2000 for seven new Waste Water Treatment Plants (WWTP), as listed in Schedule "D" to be included in this Certificate.
- 5. Application for Approval of a Waste Management System dated November 15, 2000, signed by Murray McLaughlin, Salcin Haulage Inc.

## CONTENT COPY OF ORIGINAL

6. Application for Approval of a Waste Management System dated July 16, 2001, signed by Murray McLaughlin, Salcin Haulage Inc.
7. Application for Approval of a Waste Management System dated July 26, 2001, signed by Murray McLaughlin, Salcin Haulage Inc.
8. Letter from Mohsen Keyvani, MOE to Murray McLaughlin, Salcin Haulage Inc., dated September 20, 2001, Re: Application for Approval of Waste Management systems, Cuddy Foods.
9. Application for Approval of a Waste Management System dated September 10, 2002, signed by Murray McLaughlin, Salcin Haulage Inc.
10. Application for Approval of a Waste Management System dated July 30, 2003, signed by Murray McLaughlin, Salcin Haulage Inc.
11. Application for Approval of a Waste Management System dated April 15, 2005, signed by Murray McLaughlin, Salcin Haulage Inc.
12. Application for Approval of a Waste Management System dated July 17, 2006, signed by Murray McLaughlin, Salcin Haulage Inc.
13. Application dated October 24, 2007, and the supporting information submitted therewith for an amendment to Provisional Certificate of Approval for a Waste Management System for the management of processed organic waste (biosolids) from Murray McLaughlin, Salcin Haulage Inc.
14. Facsimile dated November 6, 2007, containing a revised Application and copy of Articles of Incorporation, from Tina McLaughlin of the Company.
15. Electronic mail and facsimile dated December 13, 2007, containing an updated list of generators from Tina McLaughlin of the Company.
16. Electronic mail dated December 14, 2007, containing a statement of approval for the changes to conditions 13 and 14 of this Certificate from Tina McLaughlin of the Company.
17. Facsimile dated December 28, 2007, containing a system clean out procedure for the vehicles from Tina McLaughlin of the Company.
18. Facsimile dated April 21, 2008 from Tina McLaughlin of the Company, containing an Application for Approval of a Waste Management System dated April 21, 2008 and signed by Murray McLaughlin, President of Salcin Haulage Inc., requesting an amendment to the Schedule "B" of the Certificate.
19. Facsimile dated May 8, 2008, containing a Provisional Certificate of Approval for an Organic Soil Conditioning Site (No. S-0707-81), from Matt Helenak of Norwich Packers Ltd.
20. Letter, dated November 10, 2010, and all supporting documentation and information, from Tina McLaughlin of the Company, to change the name of the Company to Entec Waste Management Inc.
21. Application for Approval of a Waste Management System, dated February 21, 2011, and all supporting documentation and information associated with the application, from Joanne Ryksen, of the Company, to add a new waste generator.
22. Application for Approval of a Waste Management System, dated February 21, 2011, and all supporting documentation and information associated with the application, from Joanne Ryksen, of the Company, to amend the existing Certificate of Approval to allow the transport of NASM.

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

## CONTENT COPY OF ORIGINAL

1. The reason for conditions 1, 3, 4, 5, 7, 8, 9, 10, 11, 13 and 22 is to clarify the legal responsibilities and obligations imposed by this Certificate.
2. The reason for conditions 2, 23, 24, 25, 26 and 27 is to ensure that this Waste Management System is operated in accordance with the application submitted by the Company, and not in a manner which the Director was not asked to consider.
3. The reason for conditions 6 is to ensure that appropriate Ministry staff have ready access to the system in order to confirm that the system is being operated according to this Certificate. The condition is supplementary to the powers afforded a Provincial Officer pursuant to the EPA, the Ontario Water Resources Act, and the Pesticides Act, as amended.
4. The reason for condition 12 is to ensure that this Waste Management System is used only to transport waste to sites that have been established in accordance with the, NMA and Ontario Water Resources Act and that may receive Soil Conditioners.
5. The reason for condition 14 is to clarify that Soil Conditioners transferred to a NMA NASM Site must be managed, stored and land applied in accordance with the requirements of O. Reg. 267/03 under the NMA.
6. The reason for conditions 15 and 16 is to ensure that Soil Conditioners transferred to an EPA Land Application Approval Site are managed in a manner that is protective of human health and the environment.
7. The reason for condition 17, 18 and 19 is to ensure that all vehicles, trailers and equipment including those leased or rented for operation under this Certificate have been approved as part of a suitable waste transportation system to collect and transport waste as an unsuitable waste transportation system could result in a hazard to the health and safety of any person or the natural environment.
8. The reason for condition 20 is to ensure that every vehicle operated under this Certificate is adequately insured under a vehicle liability policy. The transportation of Soil Conditioner in a vehicle that has not been adequately insured under a vehicle liability policy would not be in the public interest.
9. The reason for condition 21 is to ensure that adequate insurance is available to effect suitable remedial action if an event occurs which may create a nuisance or result in a hazard to the health or safety of any person or the natural environment.
10. The reason for condition 28 is to ensure that the Company notifies the Ministry forthwith of any spills as required in Part X of the EPA so that the appropriate spills response can be determined.
11. The reason for condition 29 is to ensure that the system is thoroughly cleaned between the transportation of Soil Conditioner and other types of waste or material.

**This Certificate of Approval revokes and replaces Certificate(s) of Approval No. 5241-4JCL56 issued on May 27, 2008.**

*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, the Environmental Review Tribunal within 15 days after receipt of this Notice, require a hearing by the Tribunal. Section 142 of the Environmental Protection Act, provides that the Notice requiring the hearing shall state:*

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

*The Notice should also include:*

3. The name of the appellant;
4. The address of the appellant;
5. The Certificate of Approval number;



CONTENT COPY OF ORIGINAL

6. The date of the Certificate of Approval;
7. The name of the Director;
8. The municipality within which the waste management system is 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](http://www.ert.gov.on.ca)**

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

DATED AT TORONTO this 17th day of June, 2011

Sherif Hegazy, P.Eng.  
Director  
Section 39, *Environmental Protection Act*

JO/  
c: District Manager, MOE London District Office.  
Joanne Ryksen, Entec Waste Management Inc.