

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER A591104

Issue Date: December 5, 2024

GFL Environmental Services Inc.
100 New Park Pl, No. 500
Vaughan, Ontario
L4K 0H9

Site Location: 26 Haniak Rd (Lot 2, Concession 3)
Oliver Paipoonge Municipality, District of Thunder Bay, ON

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 11 hectare of a Waste Disposal Site (Transfer/Processing) to be used for the receipt, storage, transfer and processing of the following wastes:

Non-hazardous industrial waste limited to contaminated excess soils and/or solids and sludges from processing activities, Liquid Soil for dewatering, bulking and solidification, solids from car wash pits, residue from sanitary and storm sewer cleanout, and sand, grits and water residue from digesters and catch basins.

Solid and Liquid Subject Waste limited to the Ontario Waste Class No.: 111 to 114 inclusive, 121 to 123 inclusive, 131 to 135 inclusive, 141 to 150 inclusive, 211 to 213 inclusive, 221, 222, 231 to 233 inclusive, 241, 242, 251 to 254 inclusive, 261 to 270 inclusive, 281, 282 and 331 as described in the Ministry of the Environment's "New Ontario Waste Classes" document dated January 1986, or as amended; and

Miscellaneous waste (paper, cardboard, spent oil filters, plastic containers).

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

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

"Approval or ECA" means this entire Environmental Compliance Approval document issued in accordance with section 27 of the EPA, and includes any schedules to it, the application and the supporting documentation listed in Schedule "A";

"Competent" means an individual trained in the requirements of the this ECA, an understanding the requirements of appropriate sections of the Act and Reg. 347, as amended, and able to make decisions and affect actions to ensure that the Site is operating according to this ECA, the Act and its regulations;

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

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

"Lab Packs" means the waste management industry's recognized method of temporarily storing and transporting inventoried miscellaneous organic and inorganic wastes in a drum;

"Liquid Waste" means waste that has a slump of more than 150 millimetres using Test Method for the Determination of Liquid Waste (slump test) detailed in Reg. 347;

"Listed Subject Waste" means a Hazardous Industrial Waste (Schedule 1, Reg. 347), Acute Hazardous Waste Chemical (Schedule 2(A), Reg. 347), Hazardous Waste Chemical (Schedule 2(B), Reg. 347) and Severely Toxic Waste (Schedule 3, Reg. 347);

"Liquid Soil" has the same meaning as in O. Reg. 406/19 and means a soil that has a slump of more than 150 millimetres using the Test Method for the Determination of "Liquid Waste" (slump test) set out in Schedule 9 to Regulation 347;

"Ministry" means the Ontario Ministry of the Environment, Conservation and Parks;

"NMA" means the *Nutrient Management Act*, 2002, S.O. 2002, c. 4, as amended.

"OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, 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 ECA, and includes GFL Environmental Services Inc., its successors and assigns;

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

"PCB" means any monochlorinated or polychlorinated biphenyl or any mixture of them

or any mixture that contains one or more of them, as specified in Section 1 of Reg. 347;

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

"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 EPA or section 17 of PA or Section 4 of the NMA, or Section 8 of the SDWA;

"Regional Director" means the Regional Director of the local regional office of the Ministry in which the Site is located;

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

"SDWA" means the *Safe Drinking Water Act*, 2002, S.O. 2002, c. 32, as amended.

"Site" means the entire property located at 26 Haniak Rd (Lot 2, Concession 3), Oliver Paipoonge Municipality, District of Thunder Bay, Ontario;

"Subject Waste" means subject waste as defined in Section 1 of the Reg. 347 and includes hazardous waste and liquid industrial waste pursuant to this Approval.

"Trained personnel" means Competent personnel that have been trained through instruction and/or practice in accordance with Condition 45 of this ECA.

"TCLP" means Toxicity Characteristic Leaching Procedure as described in Reg. 347.

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

TERMS AND CONDITIONS

A. GENERAL

Compliance

1. The Owner and Operator shall ensure compliance with all the conditions of this Approval and shall ensure that any person authorized to carry out work on or operate any aspect of the Site is notified of this Approval and the conditions herein and shall take all reasonable measures to ensure any such person complies with the same.

2. Any person authorized to carry out work on or operate any aspect of the Site shall comply with the conditions of this Approval.

In Accordance

3. Except as otherwise provided for in this ECA, the Site shall be designed, developed, built, operated, modified and maintained in accordance with the application for this ECA, dated July 9, 2024, the Design and Operations Report dated October 7, 2024 (Version 2.3), and the other supporting documentation listed in Schedule "A".

4. Construction and installation of the aspects of the Site described in the application and Design and Operations Report included as Items 28 and 29 in Schedule "A", respectively, and described in Condition 25 of this Approval must be completed within 5 years of the later of:

a. the date this Approval is issued; or

b. if there is a hearing or other litigation in respect of the issuance of this Approval, the date that this hearing or litigation is disposed of, including all appeals.

5. This Approval ceases to apply in respect of the aspects of the Site noted above that have not been constructed or installed before the later of the dates identified in Condition 4 above.

Interpretation

6. Where there is a conflict between a provision of any document, including the application, referred to in this ECA, and the conditions of this ECA, the conditions in this ECA shall take precedence.

7. 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.

8. 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.

9. The requirements of this ECA are severable. If any requirement of this ECA, or the application of any requirement of this ECA to any circumstance, is held invalid or unenforceable, the application of such requirement to other circumstances and the remainder of this ECA shall not be affected thereby.

Other Legal Obligations

10. The issuance of, and compliance with, this ECA does not:

a. relieve any person of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement including, but not limited to:

(i) obtaining site plan approval from the local municipal authority;

(ii) obtaining all necessary building permits from the local municipal authority Building Services Division;

(iii) obtaining approval from the Chief Fire Prevention Officer, local municipal authority: or

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

Adverse Effect

11. The Owner and Operator 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.

12. Despite an Owner, Operator or any other person fulfilling any obligations imposed by this ECA the Owner, Operator or any other person remains responsible for any contravention of any other condition of this ECA 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.

Change of Owner

13. The Owner shall notify the Director in writing, and forward a copy of the notification to the District Manager, within thirty (30) days of the occurrence of any changes:

a. the ownership of the Site;

b. the Operator of the Site;

c. the address of the Owner or Operator;

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; and

e. the name of the corporation where the Owner is or at any time becomes a corporation, other than a municipal corporation, and a copy of the most current information filed under the *Corporations Information Act*, R.S.O. 1990, c. C-39 shall be included in the notification.

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

Financial Assurance

15. By January 31st, 2025, the Owner shall submit to the Director, Financial Assurance, as defined in Section 131 of the Act, for the additional amount of **\$1,289,400.00** to bring Financial Assurance to total amount of **\$1,621,572.00**. 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-Site at any one time.

16. Commencing on November 30, 2029 and at intervals of five (5) years thereafter, the Company shall submit to the Director a re-evaluation of the amount of Financial Assurance to implement the actions required under Condition 15. 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 (22) days of written acceptance of the re-evaluation by the Director.

17. 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.

Inspections

18. No person shall hinder or obstruct a Provincial Officer from carrying out any and all inspections authorized by the OWRA, the EPA, or the PA, or the NMA or the SDWA of any place to which this ECA 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 ECA are kept;
- b. to have access to, inspect, and copy any records required to be kept by the conditions of this ECA;
- c. to inspect the Site, related equipment and appurtenances;
- d. to inspect the practices, procedures, or operations required by the conditions of this ECA; and
- e. to sample and monitor for the purposes of assessing compliance with the terms and conditions of this OWRA, the EPA, or the PA, or the NMA or the SDWA.

Information and Record Retention

19. Any information requested, by the Ministry, concerning the Site and its operation under this ECA, including but not limited to any records required to be kept by this ECA shall be provided to the Ministry, upon request, in a timely manner.

20. 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 ECA 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 ECA or any statute, regulation or other legal requirement; or
- b. acceptance by the Ministry of the information's completeness or accuracy.

21. All records required by the conditions of this ECA must be retained on Site for a minimum period of five (5) years from the date of their creation.

22. Any information relating to this ECA 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.

B. SITE OPERATIONS

Service Area and Hours of Operations

23. Only waste that is generated within Canada and United States of America shall be accepted at the Site.

24. The Owner may operate the Site 24 hours a day, seven days a week.

25 Approval is granted for the construction, installation and/or expansion of the Site for the following:

a. A tank farm and loading/unloading concrete pad containing up to 21 stainless steel double walled aboveground storage tanks (AST), each having capacity of 90,000 litres, with maximum storage capacity of 1,890 cubic meter;

b. A mixing and solidification pad in fabric shelter building having concrete reinforced containment walls, and concrete reinforced slab for maximum storage capacity of 200 tonnes.

c. Trailer containment concrete pad with containment curbs to house up to four (4) dry van trailer for the temporary storage of containerized waste and up to eight (8) roll off containers for the temporary storage of non-hazardous and hazardous solid industrial waste, with total storage capacity of 328 cubic meter.

d. Building expansion for the temporary storage of containerized non-hazardous solid, liquid industrial, hazardous waste and miscellaneous waste with a maximum storage capacity of 400 cubic meter.

e. New building addition for the storage of containerized flammable waste with a maximum storage capacity of 200 cubic meter.

f. Concrete pad with containment curbs constructed below ground surface to house mixing bins for the purposes of decanting, consolidating and solidifying non-hazardous and hazardous sludge waste materials, having a maximum storage capacity of 240 tonnes.

e. Plastic bailer - compaction equipment.

f. Oil filter crusher/shredder.

g. The processing of used oil filters, paint cans and petroleum hydrocarbon impacted snow material to be located in the processing facility in accordance with the supporting information and documentation in Schedule "A".

Design and Operations Report

26. The Owner shall maintain an up-to-date Design and Operations Report for the Site, which shall contain at a minimum the information required by the Ministry's "Guide to applying for an Environmental Compliance Approval" as it applies to the Site.

27. The Design and Operations Report shall be:

a. kept up-to-date at all times so that it accurately reflects the ongoing Site activities as approved under this Approval;

b. retained at the Site;

c. available for inspection by a Provincial Officer upon request; and

d. updated and submitted with all future Environmental Compliance Approval applications for the Site, including a revisions tracking log.

28. Changes to the Site's operations that do not require an amendment to this Approval under Section 27 of the EPA shall be recorded in a revisions tracking log in the Design and Operations Report and submitted to the District Manager for record keeping.

Receipt of Wastes and Approved Waste Types

29. The Owner shall only receive the following wastes at the Site:

a. Non-hazardous industrial waste limited to contaminated excess soils or solids and sludges from processing activities, Liquid Soil for dewatering, bulking and solidification, solids from car wash pits, residue from sanitary and storm sewer cleanout, and sand, grits and water residue from digesters and catch basins.

b. Solid and Liquid Subject Waste limited to Waste limited to the Ontario Waste Class No.: 111 to 114 inclusive, 121 to 123 inclusive, 131 to 135 inclusive, 141 to 150 inclusive, 211 to 213 inclusive, 221, 222, 231 to 233 inclusive, 241, 242, 251 to 254 inclusive, 261 to 270 inclusive, 281, 282 and 331 as described in the Ministry of the Environment's "New Ontario Waste Classes" document dated January 1986, or as amended; and

c. Miscellaneous waste (paper, cardboard, spent oil filters, plastic containers).

30. Before waste is accepted at the Site, All incoming waste shall be screened as per incoming waste screening procedure outlined in Section 3.10, of the Design and Operations Report, dated October 7, 2024, which is included as Item 29 in Schedule "A" .

31. Any loads of incoming waste containing wastes or materials that are not authorized under this ECA shall be rejected.

32. No Sharp, radioactive, pathological/biomedical and polychlorinated biphenyls (PCB) wastes shall be accepted at the Site.

33. The Liquid Soil/residue decanting operations shall be conducted within a fabric sheltered building (Solidification Pad) having concrete containment or Mixing Bins Solidification Area shown on Figure 5 - Site Proposal Plan included as Item 29 in Schedule ""A" with appropriate spill control measures able to contain the wastes in the event of a process upset or spill.

34. a. Decanted solid non-hazardous wastes shall not leave the processing area as noted in Condition 33 until decanted soils or residue are tested for TLCP in accordance with Reg. 347 requirements and slump testing as per Schedule 9 of Reg. 347 requirements.

b. Decanted soils or residue, depending on the TLCP results, shall be disposed of at an appropriately approved waste disposal site.

c. The liquid fraction of the decanted waste (decanted water) shall be transferred to on-Site ASTs and the content of the ASTs shall be sampled and tested prior to the transfer of AST waste for off-site treatment and disposal to a licensed facility.

35. The total maximum amount of waste, as listed in Condition 28, stored at the Site shall not exceed 3,258 tonnes at any time. For the purposes of assessing compliance with this Approval, a general conversion factor for solids to liquids shall be one (1) tonne = 1,000 kilograms = 1,000 litres and will not incorporate the specific gravity of the waste.

36. The total amount of incoming waste per day shall not exceed 1,000 tonnes.

37. The total maximum amount of all wastes stored at the Site referenced to in Condition 35 are limited in the following manner:

a. Twenty one (21) ASTs, as noted in Item 29 of Schedule "A" of this Approval,

equipped with operating and regularly calibrated High Level Alarms containing various processed and unprocessed bulk liquid waste not to exceed 1,890,000 litres or 1,890 cubic meter;

b. 200 tonnes of solid non-hazardous waste;

c. 140 tonnes of solid hazardous waste;

d. 328 cubic meter of waste stored in an outdoor concrete pad in up to 4 dry van trailers and 8 fully water tight door, gaskets leak proof roll-off bins, each having capacity of 30 tonnes;

d. 600 cubic meter of containerized hazardous solid, liquid industrial, hazardous liquid waste to be stored indoor in a drum storage building; and

e. 100 tonnes Miscellaneous waste (paper, cardboard, spent oil filter).

38. All fixed storage tanks, shredders, crushers and related processing equipment shall not be moved, replaced or altered without prior approval of the Director.

39. The total amount of waste leaving the Site for final disposal, comprised of waste from the transfer operations and residual waste arising from the processing operations, shall not exceed 1,000 tonnes (on annual average basis) per day.

40. All in-coming and outgoing bulk wastes shall be weighed (using a scale), inspected and tested by qualified personnel as detailed in your application and supporting documentation listed in Items 29 of Schedule "A" of this Approval, prior to being received, processed, transferred and shipped to ensure wastes are being managed and disposed of in accordance with the Act and Reg. 347. The Owner shall ensure that Trained personnel is/are on duty at all times when the Site is open to carry out any activity required under this ECA.

41. Notwithstanding the requirements of Condition 40 of this Approval, the Owner shall take all reasonable actions in the way of laboratory, compatibility and bench testing of waste and materials to ensure that the bulking, blending, mixing, transfer and processing of wastes at the Site will not result in uncontrollable reactions that could result in a fire or release of contaminants to the natural environment.

42. The Owner shall clearly label and/or sign all waste storage containers referenced in Condition 37 at the Site showing; volume, waste class(es), waste characteristic (such as WHMIS and or, TDGA classification when applicable), and shall ensure that the label and or sign are clearly visible for inspection and record keeping. All non-hazardous wastes shall be adequately and properly segregated and contained as to ensure that they do not come into contact with hazardous wastes while being stored, transferred or processed at the Site.

43. a. The Owner must ensure that all of the wastes generated at the Site are disposed in accordance with Reg. 347;

b. Hazardous Industrial Waste (Schedule 1, Reg. 347), Acute Hazardous Waste Chemical (Schedule 2(A), Reg. 347), Hazardous Waste Chemical (Schedule 2(B), Reg. 347) and Severely Toxic Waste (Schedule 3, Reg. 347) may not be mixed, bulked, blended, put into a common container, or processed with any other waste material at the Site unless the procedures specified in this condition are followed;

i. Only chemically compatible wastes may be mixed bulked or blended;

ii. A mixture of a Severely Toxic Waste and any other waste(s) is a Severely Toxic Waste;

iii. A mixture of an Acute Hazardous Waste Chemical and any other waste(s) except a Severely Toxic Waste is an Acute Hazardous Waste Chemical;

iv. A mixture of a Hazardous Waste Chemical and any other waste(s) except as Severely Toxic Waste or an Acute Hazardous Waste Chemical is a Hazardous Waste Chemical;
and

v. A mixture of a Hazardous Industrial Waste and any other waste(s) except a Severely Toxic Waste, an Acute Hazardous Waste Chemical or a Hazardous Waste Chemical is a Hazardous Industrial Waste;

c. The Listed Subject Wastes and the corresponding waste characterization referred to in Condition 43(b) of this Approval, may not be changed by the Owner once received at the Site, except in accordance with the processing activities approved in this Approval as described in Item "29" of Schedule "A" and as follows:

i. wastes received in Lab Packs and the contents of the smaller containers are bulked into larger containers of similar waste characteristics for the sole purposes of transporting waste for final disposal;

ii. rinsewater generated from the decontamination of empty containers formerly used for the storage of Listed Subject Waste, that upon sampling and analysis carried out in accordance with Condition 41 of this Approval, are verified to be characteristically non-hazardous for all contaminants; and

iii. waste rags and rinsewater generated from the processing of solvent contaminated rags that have been derived from the processing of a Listed Subject Waste, that, upon sampling and analysis carried out in accordance with Condition 41 of this Approval, are verified to be characteristically non-hazardous for all contaminants;

d. Hazardous Industrial Waste, Acute Hazardous Waste Chemical and Hazardous Waste Chemicals limited to waste classes 251-254 and additional waste classes identified in Condition 29(b) may be received at the mixing/solidification pad for the purpose of phase separation or bulking provided that all resultant materials follow the procedures listed in Condition 43(b).

e. The Owner shall dispose of the oil/water separator effluent at the Thunder Bay Sewage Treatment Plant or other Ministry approved facility.

44. a. Within 90 days of the issuance of this Approval, the Owner shall apply and seek amendment to the Site existing section 53, OWRA, approval and also, shall apply for section 9 EPA (air and noise) approvals. The site expansion approved in Condition 25 shall not commence until sewage works, air and noise approvals are obtained.

b. Solidification, crushing, shredding, or related container processing activities of any hazardous wastes can not be conducted outside the building.

c. At no time is burning or incineration/burning of any materials allowed on the Site.

Training

45. a. Within 6 months of the issuance of this ECA, a training plan specific to the Site shall be developed and implemented to ensure that all employees that operate the Site or carry out any activity required under this ECA are trained in its operation.

b. The training plan shall require and ensure through proper written records that all persons directly involved with activities relating to the Site have been trained with

respect to:

- i. relevant waste management legislation, regulations and guidelines;
- ii. environmental concerns pertaining to the waste to be handled;
- iii. occupational health and safety concerns pertaining to the processes and wastes to be handled;
- iv. management procedures including the use and operation of equipment for the processes and wastes to be handled;
- v. specific written procedures for screening, acceptance and refusal of waste loads;
- vi. updated contingency and emergency response procedures;
- vii. specific written procedures for the control of nuisance conditions; and
- viii. the requirements of this ECA.

c. The Owner shall maintain a written record of training at the Site which includes:

- i. date of training;
- ii. the name and signature of the person who has been trained;
and
- iii. description of the training provided.

Spills Control and Emergency Response

46. The Owner shall take immediate measures to clean-up all spills, related discharges and process upsets of wastes which result from the operation of the Site. 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 in a written log or an electronic file

format, referred to in Condition 54 of this Approval, as to the nature of the spill or upset, and the action taken for clean-up, correction and prevention of future occurrences.

47. Within 90 days of the issuance of this Approval, the Owner shall provide a copy of an emergency response plan including fire safety and response plan outlined in Appendix D - Spills Contingency and Emergency Response Plan, Design and Operations Report, included as Item 29 in Schedule "A", to the local Fire Department for review and approval. A copy of the Spills Contingency and Emergency Response Plan approved by local Fire Department shall be provided to the District Manager within 15 days of receiving acceptance of the plan by the Fire Department.

48. The emergency response plan shall be kept up to date, and a copy shall be retained and accessible to all staff at all times.

49. The equipment, materials and personnel requirements outlined in the emergency response plan shall be immediately available on the Site at all times. The equipment shall be kept in a good state of repair and in a fully operational condition.

50. Each staff member that operates the Site shall be fully trained in the use of the equipment they are required to operate under the emergency response plan and in the procedures to be employed in the event of an emergency.

51. The Owner shall immediately take all measures necessary to contain and clean up any spill (as defined in the EPA) which may result from the operation of this Site and immediately implement the emergency response plan if required.

Solidification of Tank Bottom Sludges

52. The Owner shall carry out TCLP sampling of solidified tank bottom waste in accordance with the Ministry document entitled "Principles of Sampling and Analysis of Waste for TCLP under Ontario Regulation 347" dated February 2002, and revised from time to time.

53. The Owner shall carry out slump testing of each batch of solidified tank bottom waste drawn from at least two different locations of the waste to ensure that the processed waste is not a liquid waste prior to loading the waste for transportation from the Site.

Inspection and Record Keeping

54. The Owner must conduct regular weekly inspections of the equipment and facilities to ensure that all equipment and facilities at the Site are maintained in good working order at all times. Any deficiencies detected during these regular inspections must be

promptly corrected. A written record must be maintained at the Site, which includes the following:

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

55. The Owner, in addition to inspections and documentation requirements carried out in Condition 54, must conduct on each operating day, a visual inspection of the following areas to ensure the Site is secure and that no off-site impacts such as vermin, vectors, odour, noise, dust and litter, result from the operation of the Facility:

- a. waste loading/unloading areas;
- b. waste storage and associated containment areas; and
- c. security fence, barriers and property line.

56. The Owner shall maintain for a period of five years, a record available for inspection, tracking the path of waste movement through the Site for Listed Subject Waste, including as a minimum;

- a. Date of receipt of the waste, including manifest number;
- b. Waste class and waste characteristic;
- c. Volume or mass of waste received; and
- d. Date and location of disposal of the Hazardous Waste, including the manifest number.

57. The Owner shall maintain for a period of five years, a record available for inspection, tracking the path of each batch of treated waste containing Listed Subject Waste that has been re-characterized in accordance with Condition 43(c) of this Approval. The recorded information shall at a minimum including the following;

- a. a batch identification number;
- b. the date of receipt, the waste generator, and manifest number of each waste included in the batch;
- c. the waste class, waste characteristic and quantity of each waste included in the batch;
- d. the analytical results for each treated batch;
- e. the batch identification number, quantity, waste class, waste characteristic, date shipped, manifest number and location of the final disposal site for each treated batch that has been re-characterized; and
- f. the batch identification number, quantity, waste class, waste characteristic, date shipped, manifest number and location of the final disposal site for each treated batch that failed to meet the re-characterization requirements and is disposed off-site as a Listed Subject Waste.

58. The Owner shall maintain, at the Site for a minimum of two years, a log book or electronic file format which records daily the following information:

- a. date of record;
- b. types (waste class and primary characteristic), quantities and source of waste received at the Site;
- c. quantity and type (waste class and primary characteristic) of waste stored on the Site;
- d. quantity (including volume of solidification/stabilization material), type (including residual waste from processing and processed water to sanitary sewer) and destination of waste shipped from the Site;
- e. analytical results of all in-coming and outgoing wastes and materials; and
- f. results of inspections and reports required under Conditions 54 to 57 including the and signature of the person conducting the inspection and completing the report.

Site Signage and Security

59. The Site shall be secured with a fence and a lockable security gate(s), which must be locked when there are no authorized persons at the Site.

60. The Owner shall maintain a sign on the Site entrance, identifying the Owner's name and emergency Owner telephone number reliable 24 hours/day. The letters on the sign must be at least 10 centimetres in height and 5 centimetres in width.

Complaint Response

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

- a. The Owner shall record each complaint on a formal complaint form entered in a sequentially numbered log book. The information recorded shall include the nature of the complaint, the name, address and the telephone number of the complainant and 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. If the source is deemed to be caused by the Site operations, then staff will proceed to take the necessary actions to eliminate the cause of the complaint and forward a formal reply to the complainant; and
- c. The Owner shall retain on-site a report written within one (1) week of the complaint date, listing the actions taken to resolve the complaint and any recommendations for remedial measures, and managerial or operational changes to reasonably avoid the recurrence of similar Incidents.

Environmental Monitoring Plan

62. a. The Owner shall implement a Water Monitoring and Contingency Plan as identified in Item 21 of Schedule "A".

- b. All monitoring wells which form part of monitoring program shall be protected from damage. Any groundwater monitoring wells that are damaged shall be repaired or replaced forthwith or properly abandoned in accordance with Ontario Regulation 903.
- c. Any monitoring wells which are no longer required for monitoring or which need to be removed due to operational changes on the Site, shall be properly abandoned in accordance with Ontario Regulation 903.
- d. The Owner may request to make changes to the monitoring program(s), trigger mechanisms and/or contingency plan to the District Manager in accordance with the recommendations of the annual report. The Owner shall make clear reference to the proposed changes in a separate letter that shall accompany the annual report.
- e. Within one (1) month of receiving the written correspondence from the District

Manager confirming that the District Manager is in agreement with the proposed changes to the environmental monitoring program, trigger mechanisms and/or contingency plans, the Owner shall forward a letter identifying the proposed changes and a copy of the correspondences from the District Manager and all other correspondences and responses related to the changes, to the Director requesting the Approval be amended to approve the proposed changes to the environmental monitoring plan prior to implementation.

Compliance

63. The compliance criteria for the Site is Guideline B-7 – Incorporation of the Reasonable Use Concept Into MOEE Groundwater Management Activities (MOE, 1994).

Annual Report

64. Commencing March 31st, 2025, and on an annual basis thereafter, 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 detailed monthly summary of the type, quantity and origin of all wastes received, processed and transferred from the Site, including the destination, type and quantity of waste destined for final disposal and also including any reconciliations on mass balance made;
- b. a description of any site remediation activities conducted during the previous year;
- c. description of any site remediation activities planned for the upcoming year;
- d. 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;
- e. a statement as to compliance with all Terms and Conditions of this Approval and with the inspection and reporting requirements of the Conditions herein;
- f. a descriptive summary of any spills or other emergency situations which have occurred at the Site, the remedial measures taken and the measures taken to prevent future occurrences;
- g. a summary of all rejected loads, including quantity, waste class, reason for rejection and origin of the rejected waste;

- h. a summary of the types and amounts of the waste received, processed, transferred or disposed through the Site; and
- i. a summary of complaints received and the manner in which they were handled.
- j. A report on the results and analyses of the surface and groundwater monitoring program including an compliance assessment with respect to Guideline B-7 – Incorporation of the Reasonable Use Concept Into MOEE Groundwater Management Activities (MOE, 1994) .

Closure Plan

65. The Owner must submit, for approval by the Director, a written Closure Plan for the Site six (6) months prior to 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;

- a. The Owner shall not commence the work until notified by the Director that its Closure Plan has been approved by the Director; and
- b. Within ten (10) days after closure of the Site, the Owner must notify the Director, in writing, that the Site is closed and that the Site Closure Plan has been implemented.

SCHEDULE "A"

This Schedule "A" forms part of this ECA:

1. Application for Certificate of Approval signed and dated July 31, 1992 and supporting documentation and additional information submitted with the letter dated January 20, 1993.
2. Application for a Provisional Certificate of Approval for a Waste Disposal Site, dated August 27, 2001, signed by Peter Haniak.
3. Letter dated August 24, 2001 from Eric G. Zabrewski, C.E.T., Manager, Earth & Environmental, UMA Engineering Ltd. to Director, Environmental Assessment and Approval Branch, Ministry of the Environment, regarding application for amendment - Certificate of Approval No. A591104, Potter Pumping Services Limited, Thunder Bay, Ontario, including the following Appendices:
4. Letter dated January 21, 2002 and attached documents, from Eric G. Zabrewski, C.E.T., Manager, Earth & Environmental, UMA Engineering Ltd. to Mr. George Lai, P. Eng., Environmental Assessment and Approval Branch, Ministry of the Environment, regarding application for additional amendment for oil filter processing operation.

5. Application for a Provisional Certificate of Approval for a Waste Disposal Site dated September 23, 2002, signed by Peter Haniak, President.

6. Final report entitled "Potter Pumping Services Ltd., Oil/Water Separator System, Thunder Bay, Ontario" dated August, 2002 and prepared by UMA Engineering Ltd.

7. Letter dated October 28, 2002 from Eric. G. Zakrewski, C.E.T., Manager, Earth & Environmental, UMA Engineering Ltd. to Director, Environmental Assessment and Approvals Branch, Ministry of the Environment, regarding withdrawing a portion of application for approval for the discharge of oil/water separator system effluent to the environment including revision of the following figures dated October 24, 2002:

Figure 5: System Layout

Figure 6: Process Flow, Piping and Instrumentation Diagram

Figure 7: Profile Schematic

8. Application for a Provisional Certificate of Approval for a Waste Disposal Site dated June 26, 2003, signed by Peter Haniak, President and supporting information including letter dated June 25, 2003 from Peter Haniak, Potter Pumping Services Limited, to Director, Environmental Assessment and Approvals Branch, Ministry of the Environment.

9. Letter dated July 29, 2003 from Peter Haniak, Potter Pumping Services Limited, to Environmental Assessment and Approvals Branch, Ministry of the Environment providing clarification of amendment application and details of required adjacent landowner and municipality notifications.

10. Letter dated September 15, 2003 from P. Haniak, Potter Pumping Services Limited, to Tim Edwards, Environmental Assessment and Approvals Branch, Ministry of the Environment providing requested information in response to letters dated August 5, 2003 and August 6, 2003.

11. Letter dated September 30, 2003 from Peter Haniak, Potter Pumping Services Limited, to Tim Edwards, Environmental Assessment and Approvals Branch, Ministry of the Environment providing requested information in response to letter dated September 19, 2003.

12. Letter dated October 6, 2003 from Peter Haniak, Potter Pumping Services Limited, to Tim Edwards, Environmental Assessment and Approvals Branch, Ministry of the Environment providing the additional requested information.

13. Letter dated October 28, 2004 to the Director, Environmental Assessment and Approvals Branch (MOE) from Dave Schmidt, Operations Manager (Potter Pumping Services Ltd.) describing the proposed amendments to existing Certificate of Approval which included the following report:

(a) Report entitled "Potter Pumping Services Ltd., Application to Amend Waste Disposal Site Certificate of Approval No. A591104, Thunder Bay, Ontario" dated May 2004 and prepared UMA Engineering Ltd. which included the following drawings:

- i. Drawing Number 00-H-0002; Issue/Revision A; Site Features;
- ii. Drawing Number 00-H-0003; Issue/Revision A; General Site Layout;
- iii. Drawing Number 00-H-0004; Issue/Revision A; Oil/Water Process Layout;
- iv. Drawing Number 00-H-0005; Issue/Revision A; Oil/Water Separation System Elevation Plan;
- v. Drawing Number 00-H-0006; Issue/Revision A; Oil/Water Separation System Flow Process;
- vi. Drawing Number 00-H-0006; Issue/Revision A; Drum Storage Building Layout;

14. Application for a Provisional Certificate of Approval for a Waste Disposal Site signed by Dave Schmidt, Operations Manager (Potter Pumping Services Ltd.) dated October 28, 2004.

15. Letter dated January 31, 2005 to Richard Saunders (MOE) from Eric Zakrewski (UMA Engineering Ltd.) regarding the processing of petroleum hydrocarbon impacted snow from emergency spill response scenes.

16. Fax dated January 31, 2005 to Richard Saunders (MOE) from Eric Zakrewski (UMA Engineering Ltd.) regarding the verification of the zoning bylaw for the WTS property has been amended to facilitate the proposed amendments.

17. Letter dated March 3, 2005 to Richard Saunders (MOE) from Eric Zakrewski (UMA Engineering Ltd.) regarding the request for additional information related to drum storage containment area, aboveground storage tank vent, and roll off bin containment

system which included the following drawings:

i. Drawing Number 01-H-F001; Issue/Revision A; General Site Layout & Roll-Off Bin Containment Location;

ii. Drawing Number 01-H-F002; Issue/Revision A; Drum Storage Building Layout;

iii. Drawing Number 01-H-F003; Issue/Revision A; Proposed Sand Bin Containment Dyke Plan & Section;

18. Letter dated April 12, 2005 to Richard Saunders (MOE) from Eric Zakrewski (UMA Engineering Ltd.) regarding the volume of primary and secondary recovery tanks, seaway container location and roll off bin containment system.

19. Letter dated April 15, 2005 to Richard Saunders (MOE) from Eric Zakrewski (UMA Engineering Ltd.) regarding the updated Financial Assurance.

20. Email dated April 18, 2005 to Richard Saunders (MOE) from Eric Zakrewski (UMA Engineering Ltd.) regarding a revised Table 1 for the Financial Assurance.

21. Document entitled, "Water Quality Monitoring & Contingency Plan" dated March 2004, prepared by UMA Engineering Ltd.

22. Application for an amendment to an existing Certificate of Approval dated, October 3, 2007, signed by S. Melnik, Potter Pumping Services Ltd, including all supporting information.

23. Letter dated March 3, 2008, signed by E. Zakrewski, True Grit Consulting Ltd., to D. Lee, MOE. re: mixing and solidification clarification.

24. Report dated February 1, 2008 prepared by True Grit Consulting Ltd. and entitled "Potter Environmental, Financial Assurance Plan, Waste Transfer Site, Thunder Bay, ON" containing a Financial Assurance calculation with other documents.

25. Report titled Potter Environmental, Sludge Containment System, Revised Design and Operations Report, Waste Transfer and Processing Site, Thunder Bay, Ontario, Certificate of Approval No. A591104, prepared by True Grit Consulting Ltd., signed by Eric G. Zakrewski, C.E.T, CIE and Adam Rose, P. Eng., dated May 11, 2011.

26. Revised drawing and letter dated July 12, 2011, from Adam Rose, P. Eng., True Grit Consulting Ltd., outlining changes to the dimensions of the mixing bins.

27. Potter Environmental Financial Assurance Plan, Waste Transfer Site, Thunder Bay,

prepared by True Grit Consulting Ltd., dated December 14, 2010.

28. Environmental Compliance Approval Application dated July 9, 2024, signed by Francisco Gomez, including all supporting information.

29. Design and Operations Report, GFL Environmental Services Inc., dated October 7, 2024 (Version 2.3) including all updated figures and appendices.

30. Financial Assurance Re-Evaluation - Environmental Compliance Approval No.: A591104, dated October 29, 2024, revised on November 28, 2024.

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

- 1. The reason for the conditions in sections 1, 2, 4 through 12 is to clarify the legal rights and responsibilities of the Owner and Operator.*
- 2. The reason for the condition in sections 3 and 25 is to ensure that the Site is operated 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.*
- 3. The reasons for Condition 13 is to ensure that the Site is operated under the corporate name which appears on the application form submitted for this approval and to ensure that the Director is informed of any changes.*
- 4. The reasons for Condition 14 are to restrict potential transfer or encumbrance of the Site without the approval of the Director and to ensure that any transfer of encumbrance can be made only on the basis that it will not endanger compliance with this ECA.*
- 5. The reason for the conditions in section 15 through 17 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.*
- 6. The reason for the conditions in section 18 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 ECA of Approval. This condition is supplementary to the powers of entry afforded a Provincial Officer pursuant to the EPA and OWRA.*
- 7. The reason for Conditions 19 through 22 has been included in order to clarify what information may be subject to the Freedom of Information Act.*

8.

The reason for Condition 23 is to specify the approved service area from which waste may be accepted at the Site.

9. The reason for Condition 24 is to specify the hours of operation for the Site.

10. The reasons for the conditions in section 26 through 28 are to ensure the Design and Operations Report is maintained, up-to-date and available at the Site at all times and to ensure that any changes to the Report are done with prior approval from the Ministry.

11. The reasons for the conditions in section 29, 32, 35, 36, 37 and 39 are to specify the types of waste that may be accepted at the Site, the amounts of waste that may be stored at the Site and the maximum rate at which the Site may receive and ship waste based on the Owner's application and supporting documentation.

12. The reason for Conditions 30, 31, 33, 34, 38, 40, 41, 42, 43 and 44 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.

13. The reason for Conditions 45 is to ensure that staff are properly trained in the operation of the equipment used at the Site and emergency response procedures. This will minimize the possibility of spills occurring and will enable staff to deal promptly and effectively with any spills that do occur.

14. The reasons for the conditions in section 46 through 51 is to ensure that an Emergency Response Plan is developed and maintained at the Site and that staff are properly trained in the operation of the equipment used at the Site and emergency response procedures.

15. The reason for Conditions 52 and 53 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

16. The reasons for the conditions in section 54 through 58 is to provide for the proper assessment of effectiveness and efficiency of site design and operation, their effect or relationship to any nuisance or environmental impacts, and the occurrence of any public complaints or concerns. Regular site inspection and Record keeping is necessary to determine compliance with this ECA, the EPA and its regulations.

17. The reason for Condition 59 is to ensure that users of the Site are fully aware of important information and restrictions related to Site operations and access under this ECA.

18. *The reasons for Condition 60 is to ensure the controlled access and integrity of the Site by preventing unauthorized access when the Site is closed and no site attendant is on duty.*

19. *The reason for the conditions in section 61 is to ensure that any complaints regarding Site operations at the Site are responded to in a timely manner.*

20. *Condition 62 is included to specify the groundwater and surface water monitoring requirements for monitoring groundwater and surface water quality, require the Owner to demonstrate that the Site comply with the applicable guidelines/standards, streamline the approval of the changes to the monitoring plan and ensure the integrity of the groundwater monitoring network so that accurate monitoring results are achieved and the natural environment is protected. Regular monitoring allows for the analysis of trends over time and ensures that there is an early warning of potential problems so that any necessary remedial/contingency action can be taken.*

21. *Condition 63 is included to specify y compliance criteria for assessing impact on the groundwater quality.*

22. *The reasons for the conditions in section 64 are 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.*

23. *The reasons for Condition 65 is to ensure that the Site is closed in accordance with Ministry standards and to protect the health and safety of the public and the environment.*

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). A591104 issued on November 28, 2012

In accordance with Section 139 of the *Environmental Protection Act*, you may by written notice served upon me, the Ontario Land Tribunal and in accordance with Section 47 of the *Environmental Bill of Rights*, 1993, the Minister of the Environment, Conservation and Parks, within 15 days after receipt of this notice, require a hearing by the Tribunal. The Minister of the Environment, Conservation and Parks will place notice of your appeal on the Environmental Registry. 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*
Ontario Land Tribunal
655 Bay Street, Suite 1500
Toronto, Ontario
M5G 1E5
OLT.Registrar@ontario.ca

and

The Minister of the Environment,
Conservation and Parks
777 Bay Street, 5th Floor
Toronto, Ontario
M7A 2J3

and

The Director appointed for the purposes of
Part II.1 of the *Environmental Protection Act*
Ministry of the Environment, Conservation
and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
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.olt.gov.on.ca**

This instrument is subject to Section 38 of the *Environmental Bill of Rights*, 1993, that allows residents of Ontario to seek leave to appeal the decision on this instrument. Residents of Ontario may seek leave to appeal within 15 days from the date this decision is placed on the Environmental Registry. By accessing the Environmental Registry at <https://ero.ontario.ca/>, you can determine when the leave to appeal period ends.

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

DATED AT TORONTO this 5th day of December,
2024

Mohsen Keyvani, P.Eng.
Director
appointed for the purposes of Part II.1 of the

Environmental Protection Act

AQ/

c: District Manager, MECP Thunder Bay - District
Francisco Gomez, GFL Environmental Services Inc.