

**CERTIFICATE OF APPROVAL****AIR**

NUMBER 7693-7L5Q3Z

Issue Date: December 24, 2009

1559643 Ontario Inc.  
44 Bugey Lane  
Ajax, Ontario  
L1Z 1X5

Site Location: 550 Braidwood Avenue  
Peterborough City, County of Peterborough

*You have applied in accordance with Section 9 of the Environmental Protection Act for approval of:*

- one (1) remediation process to treat a maximum of 22.7 litres per minute of groundwater contaminated with petroleum hydrocarbons and/or chlorinated solvents, complete with one (1) cooling tower-type air stripper, discharging into the atmosphere at a volumetric flow rate of 0.41 actual cubic metre per second through a stack having an exit diameter of 0.61 metre, extending 30.6 metres above the roof and 36.6 metres above grade;

all in accordance with the Application for a Certificate of Approval (Air & Noise) submitted by 1559643 Ontario Inc. dated April 18, 2008 and signed by Greg Palmer, President, and all supporting information prepared by Barenco Inc., including the additional information provided by Jim Phimister (Barenco Inc.) and Wendy Paterson (Barenco Inc.) dated June 30, 2008 and January 30, 2009, respectively.

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

- (1) "Act" means the *Environmental Protection Act*.
- (2) "Certificate" means this Certificate of Approval (Air) issued in accordance with Section 9 of the Act.
- (3) "Company" means 1559643 Ontario Inc.
- (4) "District Manager" means the District Manager, Peterborough District Office, Eastern Region of the Ministry.
- (5) "Equipment" means the air stripper as described in the Company's application, this Certificate and in the supporting documentation submitted with the application, to the extent approved by this Certificate.
- (6) "Ministry" means Ontario Ministry of the Environment.
- (7) "Process" means the remediation process as described in the Company's application, this Certificate and in the supporting documentation submitted with the application, to the extent approved by this Certificate.
- (8) "Remedial Work Plan" means the overall plan, developed for the Site, that contains as a minimum the remedial objectives, an overview of the extent of contamination at the Site and closure conditions to remove the Process from the Site.
- (9) "Site" means the property on which the Process is operated.
- (10) "Soil, Groundwater and Sediment Standards" means the Ministry publication "Soil, Groundwater and Sediment

Standards for Use Under Part XV.1 of the Environmental Protection Act" dated March 9, 2004, as amended.

(11) "Supporting Documents" means the Ministry publications that accompany the Soil, Groundwater and Sediment Standards including "Guidance on Sampling and Analytical Methods for Use at Contaminated Sites in Ontario" dated May 1996, as amended.

(12) "Target Compound" means the toluene that the Process is designed to treat as part of the Remedial Work Plan.

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

## TERMS AND CONDITIONS

### **Performance Requirements**

1. As of the start up date of the Process and until its discontinuation, the Company shall, at all times, design and operate the Process so that no Target Compound or their decomposition compounds are permitted to migrate off the Site, in groundwater concentrations greater than the appropriate Soil, Groundwater and Sediment Standards, appropriate worker health and safety criteria or site specific criteria developed in accordance with the Supporting Documents or risk based clean-up criteria (as described in Ontario Regulation 153) developed with the Peterborough District Office.

### **Operating Procedures and Maintenance Manual**

2. The Company shall, before commencement of operation of the Process at the Site, prepare and implement an operating procedures and maintenance manual for the Process/Equipment. The manual shall specify, as a minimum:

- (a) frequency of inspections and scheduled preventative maintenance;
- (b) procedures to prevent upset conditions and contingency measures to address any off-site migration of contamination;
- (c) procedures to prevent and/or minimize odorous emissions; and
- (d) procedures to record and respond to any environmental complaints.

### **Monitoring Plan**

3. The Company shall, before commencement of operation of the Process at the Site, design and implement a Monitoring Plan, in accordance with the Supporting Documents, for the groundwater at the Site to document the migration of the Target Compound and also document that the Performance Requirements outlined above are not exceeded and that the Remedial Work Plan objectives are met. The Monitoring Plan shall specify, as a minimum:

- (a) Monitoring Plan objectives;
- (b) list of analytical parameters;
- (c) monitoring locations and frequency;
- (d) sampling methodology and QA/QC procedures; and
- (e) Remedial Work Plan objectives for discontinuation of the Process.

### **Notification Requirements**

4. The Company shall notify the District Manager in writing, if the Process/Equipment is not operated in accordance with the Performance Requirements or the Operating Procedures and Maintenance Manual or the Monitoring Plan outlined above.

### **Record Keeping Requirements**

5. The Company shall, for a minimum of two (2) years from the date of their creation, retain all reports, records and information described in this Certificate, related to or resulting from the operation of the Process/Equipment and shall include, but not be limited to:

- (a) the Remedial Work Plan;
- (b) records on the inspection, maintenance and repair of the Equipment related to the Process;
- (c) all monitoring results including the verification sampling to demonstrate that the Remedial Work Plan objectives are met;
- (d) records on the environmental complaints; including:
  - (1) a description, time and date of the incident,
  - (2) wind direction at the time of the incident, and
  - (3) a description of the measure taken to address the cause of the incident.

These records shall be made available, upon request, to Ministry personnel, or Ministry authorized representative(s), upon presentation of credentials.

### **Reporting Requirements**

6. The Company shall provide the District Manager no later than March 31 of each year, a written report detailing the action taken to remediate the Site conditions during the previous calendar year that shall include, but not limited to:

- (a) evaluation of the effectiveness of the Process in treating the on-site groundwater contamination, including supporting technical information;
- (b) evaluation of the effectiveness of the Process in improving the natural environment conditions, including supporting technical information; and
- (c) findings, trends, interpretations and recommendations including supporting technical information.

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

1. Condition 1 is included to outline the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the Process/Equipment.
2. Condition 2 is included to emphasize that the Process/Equipment must be operated according to a procedure that will result in compliance with the Act, the regulations and this Certificate.
3. Condition 3 is included to require the Company to gather accurate information so that the environmental impact and subsequent compliance with the Act, the regulations and this Certificate can be verified.
4. Condition 4 is included to require the Company to notify the Ministry so that the environmental impact and subsequent compliance with the Act, the regulations and this Certificate can be verified.
5. Condition 5 is included to require the Company to retain records and provide information to the Ministry so that the environmental impact and subsequent compliance with the Act, the regulations and this Certificate can be verified.
6. Condition 6 is included to require the Company to provide an annual report to the Ministry.

CONTENT COPY OF ORIGINAL

*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 and in accordance with Section 47 of the Environmental Bill of Rights, S.O. 1993, Chapter 28, the Environmental Commissioner, within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Environmental Commissioner will place notice of your appeal on the Environmental Registry. Section 142 of the Environmental Protection Act, provides that the Notice requiring the hearing shall state:*

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

*The Notice should also include:*

3. The name of the appellant;
4. The address of the appellant;
5. The Certificate of Approval number;
6. The date of the Certificate of Approval;
7. The name of the Director;
8. The municipality within which the 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 Environmental Commissioner  
1075 Bay Street, 6th Floor  
Suite 605  
Toronto, Ontario  
M5S 2B1

AND

The Director  
Section 9, *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)**

*This instrument is subject to Section 38 of the Environmental Bill of Rights, 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 [www.ene.gov.on.ca](http://www.ene.gov.on.ca), you can determine when the leave to appeal period ends.*

*The above noted works are approved under Section 9 of the Environmental Protection Act.*

DATED AT TORONTO this 24th day of December, 2009

Victor Low, P.Eng.  
Director  
Section 9, *Environmental Protection Act*

RA/  
c: District Manager, MOE Peterborough  
Jim Phimister, Barenco Inc.