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Ministry of the Environment and Climate Change  
Ministère de l'Environnement et de l'Action en matière de changement  
climatique

**AMENDMENT TO ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER A482101

Notice No. 5

Issue Date: June 8, 2015

The Corporation of the Township of North Dundas  
636 St. Lawrence St  
Post Office Box, No. 489  
North Dundas, Ontario  
K0C 2K0

Site Location: Boyne Road Landfill  
12620 Boyne Road  
Lot 8, Concession 6  
Township of North Dundas, United Counties of Stormont, Dundas and Glengarry

*You are hereby notified that I have amended Approval No. A482101 issued on December 4, 1989, as subsequently amended for the use and operation of an 8.1 hectare (20 acres) landfilling area with additional 14.13 hectare (34.89 acres) lands for use as Buffer and 22.04 hectares (54.42 acres) Contaminant Attenuation Zone , as follows:*

**1. EMERGENCY APPROVAL FOR CONTINUED LANDFILLING**

Pursuant to Section 20.2 (1) of the Environmental Protection Act, a temporary approval lasting until January 31, 2016, is hereby granted for the continued landfilling operation at the Boyne Road Landfill Site, to alleviate the emergency situation for waste management in the local Township resulting from overfilling at the *Site* , as determined from the theoretical capacity estimate for the *Site* ;

**2. ESTABLISHMENT AND OPERATION OF WEEE PROGRAM**

Pursuant to Section 20.2 (1) of the Environmental Protection Act, approval is hereby granted for the establishment and operation of Waste Electrical and Electronic Equipment (WEEE) program at the Boyne Road Landfill Site, for the collection, temporary storage and transfer of WEEE;

**3. RECEIPT OF NEW WASTE CLASSES AT THE HHW DEPOT**

Pursuant to Section 20.2 (1) of the Environmental Protection Act, approval is hereby granted for the acceptance, storage, packing and/or bulking and subsequent transfer of additional hazardous waste codes **146T, 147I and 212L** , at the Household Hazardous Waste Depot;

**4. ADDITION OF BUFFER/CONTAMINANT ATTENUATION LANDS**

Pursuant to Section 20.2 (1) of the Environmental Protection Act, approval is hereby granted for the revision of the total site area from **8.1 hectares ( 20 acres)** to **22.23 hectares ( 54.89 acres )**, by adding parcels of lands for **use as Buffer, and additional 22.04 hectares (54.42 acres) Contaminant Attenuation Zone subject to Easement** . The waste fill area of 8.1 hectares (20 acres) remains unchanged. The additional **Buffer and/or Contaminant Attenuation** lands are described in a

report dated January, 2015, prepared by Golder Associates Ltd., Item 4 of Schedule "A" attached to this *ECA* , as follows:

(a) **Buffer Zone 1** - 30 metre wide Buffer Zone (2.64 hectares or 6.52 acres) surrounding the waste fill area on the east, west and south, owned by the Corporation of the Township of North Dundas, shown on Plan 8R-3142 dated July 22, 1991, as Part 2, Lot 8, Concession 6, Township of Winchester, County of Dundas;

(b) **Buffer Zone 2** - A 7.2 hectares (17.8 acres) parcel of land that extends 150 metres south of Buffer Zone 1, owned by the Corporation of the Township of North Dundas, shown on Plan 8R-4441 dated January 7, 2002, as Part 1, part of Lot 8, Concession 6, Township of Winchester, County of Dundas;

(c) **Buffer Zone 3** - A 4.29 hectares (10.59 acres) parcel of land south of Buffer Zone 2, owned by the Corporation of the Township of North Dundas, shown on Plan 8R-5197 dated June 15, 2011, as Part 7, Lot 8, Concession 6, Township of Winchester, County of Dundas; and

(d) **Contaminant Attenuation Zone** - A 22.04 hectares (54.45 acres) parcel of land to the south and west of the landfill as shown on Figure 2, contained in Item 4 of Schedule "A", attached to this *Certificate* , includes that property owned by Blair Hutchinson, located at Lot 7, Concession 6, Township of North Dundas, County of Dundas, being part of PIN 66149-0055, more particularly described as Parts 1 to 6 inclusive on Plan 8R-5197 dated June 15, 2011.

Whereas the rights of access and easement on the property listed under (d) above, for the purposes of groundwater contaminant attenuation has been secured by the Corporation of the Township of North Dundas as per the following document:

(i) *Indenture* (Easement Agreement) made October 1, 2011 and signed on October 24, 2011, in respect of the property defined by PIN # 66149-0055 (Parts 1 to 6 inclusive, Lot 7, Concession 6), listed as Item 5 in Schedule "A" , attached to this *ECA* .

*all in accordance with the following documentation and subject to the terms and conditions listed herein:*

## **DOCUMENTATION**

*The following items are hereby added to Schedule "A" and form part of the Environmental Compliance Approval No. A482101:*

1. Environmental Compliance Approval Application dated May 14, 2013, signed by Angela Rutley, Chief Administrative Officer, the Corporation of the Township of North Dundas.
2. Report entitled "Design and Operations Plan", Boyne Road Landfill, Township of North Dundas, dated May 2013, prepared by Golder Associates Ltd..
3. Letter dated January 29, 2015, from Yannick J. Marcerou and Paul A. Smolkin of Golder Associates Ltd. to the *Director* , Environmental Approvals Access and Service Integration Branch, Ministry of the Environment and Climate Change, with attached Environmental Compliance Approval Application dated January 29, 2015, signed by Angela Rutley, Chief Administrative Officer, the Corporation of the Township of North Dundas.
4. Report entitled "Addendum To The Design and Operations Plan", Boyne Road Landfill, Township of North Dundas, dated January, 2015, prepared by Golder Associates Ltd.

5. *Indenture* (Easement Agreement) made on October 1, 2011 and signed on October 24, 2011, between Blair Hutchinson and the Township of North Dundas in respect of lands located at Part of Lot 7, Concession 6, Township of Winchester, Township of North Dundas, County of Dundas, being part of the property defined by PIN # 66149-0055, more particularly described as Parts 1 to 6 inclusive, on Reference Plan 8R-5197 dated June 15, 2011.

*For the purposes of this Environmental Compliance Approval and the terms and conditions specified herein, the following definitions apply:*

## DEFINITIONS

- (a) "**Approval**" or "**Certificate**" or "**ECA**" means this entire Environmental Compliance Approval No. A482101, issued in accordance with Section 20.3 of Part II.1 of the *Environmental Protection Act* (EPA), and includes any schedules to it, the application and the supporting documentation listed in Schedule "A";
- (b) "**Township**" means The Corporation of the Township of North Dundas, and includes its successors and assigns;
- (c) "**Director**" means any *Ministry* employee appointed in writing by the Minister of the Environment and Climate Change pursuant to Section 5 of the EPA as a Director for the purposes of Part II.1 of the EPA;
- (d) "**District Manager**" means the District Manager of the local district office of the Ministry of the Environment and Climate Change in which the Site is geographically located or his/her representative;
- (e) "**EPA**" means *Environmental Protection Act*, R.S.O. 1990, c. E. 19, as amended;
- (f) "**Ministry**" means the Ontario Ministry of the Environment and Climate Change
- (g) "**Owner**" or "**Operator**" means any person that is responsible for the establishment or operation of the *Site* approved by this *Certificate*, and includes The Corporation of the Township of North Dundas, its successors and assigns;
- (h) "**OWRA**" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O. 40, as amended;
- (i) "**Regional Director**" means the Regional Director of the local Regional Office of the Ministry of the Environment and Climate Change in which the Site is located.
- (j) "**Site**" means the entire waste disposal site described as the **8.1 hectares (20 acres)** Landfilling area within a total Waste Disposal Site area of **22.23 hectares (54.89 acres)**, including the Buffer lands; **and additional 22.04 hectares (54.42 acres) Contaminant Attenuation Zone subject to Easement**. The **Buffer (Zones 1 to 3) lands** are described as follows:
- (i) **Buffer Zone 1** - 30 metre wide Buffer Zone (2.64 hectares or 6.52 acres) surrounding the waste fill area on the east, west and south, located at Lot 8, Concession 6, Township of Winchester, County of Dundas, shown as Part 2 on Plan 8R-3142 dated July 22, 1991;
- (ii) **Buffer Zone 2** - A 7.2 hectares (17.8 acres) parcel of land that extends 150 metres south of Buffer Zone 1, located at Lot 8, Concession 6, Township of Winchester, County of Dundas, shown as Part 1 on Plan 8R-4441 dated January 7, 2002;

(iii) **Buffer Zone 3** - A 4.29 hectares (10.59 acres) parcel of land south of Buffer Zone 2, located at Lot 8, Concession 6, Township of Winchester, County of Dundas, shown as Part 7 on Plan 8R-5197 dated June 15, 2011.

(k) **"CAZ"** means **Contaminant Attenuation Zone** being, the **22.04 hectares** (54.42 acres) of other lands to the south and west of the landfill site, owned by Blair Hutchinson, shown on Figure 2, contained in Item 4 of Schedule "A", attached to this *Certificate*, assembled for the purposes of expanding the Compliance Boundary for contaminant attenuation, and includes that property located at Lot 7, Concession 6, Township of North Dundas, County of Dundas, being part of PIN 66149-0055, more particularly described as Parts 1 to 6 inclusive, on Reference Plan 8R-5197 dated June 15, 2011.

(l) **"Indenture"** refers to **Contaminant Attenuation Zone Easement Agreement(s)** made on October 1, 2011 and signed on October 24, 2011, between Blair Hutchinson and the Township of North Dundas.

(m) **"WEEE"** refers to Waste Electrical and Electronic Equipment, and includes computers, printers, scanners, monitors, radios, stereos, televisions, VCR's, DVD players and telephones.

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

## **TERMS AND CONDITIONS**

### **1.0 GENERAL PROVISIONS**

#### **Compliance**

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

#### **Interpretation**

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

1.3 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.

1.4 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.

#### **Other Legal Obligations**

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

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

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

### **Adverse Effect**

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

1.7 Despite an *Owner* , or any other person fulfilling any obligations imposed by this *Certificate*, the person remains responsible for any contravention of any other condition of this *Certificate* or any applicable statute, regulation, or other legal requirement resulting from any act or omission that caused the adverse effect to the natural environment or impairment of water quality.

1.8 No portion of this *Site* shall be transferred or encumbered unless the *Director* is notified in advance and sufficient financial assurance, as applicable, is deposited with the *Ministry* to ensure that these conditions will be carried out. In the event of any change in ownership of the works, other than change to a successor municipality, the *Owner* shall notify the successor of and provide the successor with a copy of this *Certificate* , and the *Owner* shall provide a copy of the notification to the *District Manager* and the *Director*.

### **Inspections**

1.9 No person shall hinder or obstruct a Ministry's authorized representative(s), upon presentation of credentials, from carrying out any and all inspections authorized by the *OWRA* , or the *EPA* , of any place to which this *Certificate* relates, and without limiting the foregoing:

- (a) to enter upon the premises where the approved works are located, or the location where the records required by the conditions of this *Certificate* are kept;
- (b) to have access to, inspect, and copy any records required to be kept by the conditions of this *Certificate* ;
- (c) to inspect the *Site*, related equipment and appurtenances;
- (d) to inspect the practices, procedures, or monitoring/maintenance required by the conditions of this *Certificate* ; and
- (e) to sample and monitor for the purposes of assessing compliance with the terms and conditions of this *Certificate* or the *EPA* , or the *OWRA* or any applicable legislation.

### **Information and Record Retention**

1.10 Any information requested, by the *Ministry* , concerning the *Site*, under this *Certificate* , including but not limited to any records required to be kept by this *Certificate* shall be provided to the *Ministry* , upon request , in a timely manner. Records shall be retained for the contaminating life span of the *Site* except for as otherwise authorized in writing by the *Director*.

1.11 The receipt of any information by the *Ministry* or the failure of the *Ministry* to prosecute any person or to require any person to take any action, under this *Certificate* or under any statute, regulation or other legal requirement, in relation to the information, shall not be construed as:

- (a) an approval, waiver, or justification by the *Ministry* of any act or omission of any person that contravenes any term or condition of this *Certificate* or any statute, regulation or other legal requirement; or

(b) acceptance by the *Ministry*, of the information's completeness or accuracy .

1.12 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.

### **Certificate of Requirement**

1.13 Pursuant to Section 197 of the *EPA* , no person having an interest in the *Site* shall deal in any way with the *Site* without first giving a copy of this *Certificate* to each person acquiring an interest in the *Site* as a result of the dealing.

1.14 The *Owner* shall:

(a) within sixty (60) calendar days from the date of issuance of this *Certificate* , submit to the *Director* for his/her signature:

- (i) plans of survey of the Buffer Zones 1, 2, 3 and the CAZ, prepared, signed and sealed by a licensed Ontario Land Surveyor;
- (ii) proof of ownership, as appropriate;
- (iii) legal abstract of the properties in (i) above;
- (iv) copy of the entire *Indenture* referred to as the Contaminant Attenuation Zone Easement Agreement(s) made on October 1, 2011 and signed on October 24, 2011, between Blair Hutchinson and the Township of North Dundas, listed as Item 5 of Schedule "A", attached to this *ECA* ; and,
- (v) a completed Certificate of Requirement, and its supporting documents, containing a registerable description of the Buffer Zones 1, 2, and 3, and a completed Certificate of Requirement for the entire *Indenture* referred to as the Contaminant Attenuation Zone Easement Agreement made on October 1, 2011 and signed on October 24, 2011, between Blair Hutchinson and the Township of North Dundas, in accordance with Form 4 of Regulation 688 under Land Registration Reform Act, R.R.O. 1990c. L.4, as amended.
- (vi) Section 8 of Form 4, above, shall be completed in accordance with the wording in Schedule "B" of this *Approval*.

(b) within fifteen (15) calendar days of receiving the Certificate of Requirement signed/authorized by the *Director* , the *Owner* shall:

- (i) register the Certificate of Requirement in the appropriate Land Registry Office on the title to the Buffer Zones 1, 2, and 3; and
- (ii) submit to the *Director* , copy to the *District Manager* , a written verification that the Certificate of Requirement has been duly registered on title to the Buffer Zones 1, 2, and 3.

(c) within fifteen (15) calendar days of receiving the Certificate of Requirement signed/authorized by the *Director* , the *Owner* shall:

- (i) register the entire *Indenture* referred to as the Contaminant Attenuation Zone Easement Agreement made on October 1, 2011 and signed on October 24, 2011, between Blair Hutchinson and the Township of North Dundas, in the appropriate Land Registry Office on title to the CAZ lands; and,
- (ii) submit to the *Director* , copy to the *District Manager* , proof of registration of the entire *Indenture* on the title to the CAZ lands.

(d) The *Township* shall not amend, or remove, or consent to the removal of the *Indenture* , or the removal of the CAZ from title of the property without the prior approval of the *Director* .

## **2.0 CONTINUED USE OF THE SITE FOR LANDFILLING**

2.1 The *Township* may continue landfilling operation at the Boyne Road Landfill Site until January 31, 2016, to alleviate the emergency situation for waste management in the *Township* resulting from overfilling at the *Site* . No waste shall be landfilled at the *Site* after January 31, 2016 without the approval of the *Director* .

2.2 Except as provided by the conditions in this *ECA* and applicable Legislation, landfilling operation at the *Site*, as provided in Condition 2.1 above, shall be in accordance with Item 2 of Schedule "A", as amended by Item 4 of Schedule "A", attached to this *Approval* .

2.3 By August 31, 2015, the *Township* shall submit to the *District Manager* , a plan for the long-term management of the waste for the affected users of the *Site* .

2.4 Where it is not proposed to continue landfilling operation at the *Site* beyond January 31, 2016, the *Township* shall submit for the approval of the *Director* , with copy to the *District Manager* , a detailed Closure Plan, to permanently close the *Site* for landfilling operations, post-closure inspections and maintenance, monitoring and reporting, and the end-use for the *Site* . The Closure Plan shall be submitted by November 1, 2015, and shall include, at least the following:

- (a) A plan showing site appearance after closure;
- (b) A description of the proposed end-use of the *Site* ;
- (c) Descriptions of the procedures for the closure of the *Site* , including:
  - (i) Advance notification of the public of the landfill closure;
  - (ii) Posting of a sign at the *Site* entrance indicating the landfill is closed and identifying any alternative waste disposal arrangements;
  - (iii) Completion, inspection and maintenance of the final cover and landscaping;
  - (iv) Site security;
  - (v) Removal of unnecessary landfill-related structures, buildings and facilities; and,
  - (vi) Final construction of any control, treatment, disposal and monitoring facilities for leachate, groundwater, surface water and landfill gas;
- (d) Descriptions of the procedures for post-closure care of the *Site* , including:
  - (i) Operation, inspection and maintenance of the control, treatment, disposal and monitoring facilities for leachate, groundwater, surface water and landfill gas (if any);
  - (ii) Record keeping and reporting; and,
  - (iii) Complaint contact and response procedures;
- (e) An assessment of the adequacy of and need to implement the contingency plans for leachate and landfill gas; and
- (f) An updated estimate of the contaminating life span of the *Site* , based on the results of the monitoring programs to date.

## **3.0 WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT (WEEE) FACILITY**

3.1 The operation of the *WEEE* facility at the *Site* shall be limited to the collection, storage and transfer of *WEEE* that are accepted under the *WEEE* Program Plan as approved by the *Ministry* and

administered by the Ontario Electronic Stewardship (OES) and includes the following items, as listed in letter dated January 29, 2015, included in Appendix "B" of Item 4 in Schedule "A", attached to this :

- (i) Desktop, portable and personal hand-held computers;
- (ii) Display devices (including monitors and televisions);
- (iii) Computer peripherals (mice, keyboards, external hard drives, floppy-disk drives, optical drives and modems);
- (iv) Printing, copying and Multi-function devices (including printers, photocopiers, scanners, fax machines and typewriters)
- (v) Telephones and telephone answering machines, cellular devices, and pagers;
- (iv) Image, audio and video devices (tape, disk, digital audio and video players and recorders radios, receivers, speakers, turntables, digital frames, cameras, equalizers, amplifiers, and video projectors).

3.2 The maximum quantity of *WEEE* received at the *WEEE* facility shall not exceed two (2) tonnes on each operating day, with a maximum accumulated storage on-site not to exceed five (5) tonnes at any time. The maximum quantity of *WEEE* received at the *WEEE* facility shall not exceed fifty-two (52) tonnes per year.

3.3 The *Township* may increase the type and quantity of *WEEE* materials managed at the *WEEE* facility as Ontario Electronic Stewardship (OES) programs are brought forward to increase the diversion of *WEEE* designated materials (Schedules 1 through 7, O. Reg.393/04), subject to the availability of storage capacity and prior written approval of the *District Manager* .

3.4 The *WEEE* shall be stored in two (2) lockable 30-cubic yard roll-off enclosed containers placed in a secure manner at the *Site* , such that unauthorized persons cannot enter these Facilities without supervision.

3.5 The *Township* shall ensure that the *WEEE* is operated in a safe and secure manner, such that all items are properly handled, packaged and stored so as not to pose any threat to the general public, site personnel and the natural environment.

3.6 The *Township* shall maintain separate records for all wastes received at all on-site Waste Management Facilities. The records shall include the documentation of waste types and quantities received, source of generation, ultimate disposal sites, and the documentation of any spills and/or upsets, and environmental and/or any other problems encountered in operating the *Site* .

3.7 The *Township* shall ensure that an up-to-date operations manual is maintained at the *Site* for use by site personnel during the operating lives of all on-site Waste Management Facilities. The operations manual shall contain as a minimum, the following information:

- (a) outline of the responsibilities of site personnel;
- (b) personnel training protocol;
- (c) proper receiving and recording procedures, including recording procedures for wastes which are refused at the *Site* ;
- (d) identification of all wastes and procedures for bulking/separation;
- (e) proper storage, handling, sorting and shipping procedures;
- (f) contingency procedures to be followed by personnel in the event of spill, fire and any other emergencies.



3.8 The *Township* shall ensure that a copy of the up-to-date operations manual for the operations of all on-site Waste Management Facilities, is submitted to the *District Manager* for his/her information.

3.9 The *Township* shall ensure that the storage facilities for the operations of all on-site Waste Management Facilities meet the local fire regulations and the storage capacities for the respective structures and/or containers.

3.10 All wastes generated at the on-site Waste Management Facilities shall be managed and disposed of in accordance with the *EPA* and Ontario Regulation 347, as amended.

#### **4.0 INSPECTION AND MAINTENANCE**

4.1 The *Township* shall conduct regular inspections of the *Site*, including the active waste tipping area, all on-site Waste Management Facilities and associated equipment, buildings/shacks, final cover, security fencing and barriers, to ensure that all are maintained in good working order and secure at all times and to ensure that no off-site impacts such as vermin, vectors, odour, dust, and litter, result from the operations of the *Site* and Waste Management Facilities, to cause any nuisance or adverse effect on the environment.

4.2 If any inspection indicates that there is an area of ponding or zero slope in the final soil capped area, and/or any deficiencies detected during these regular inspections, the *Township* shall take all steps necessary to provide positive drainage and rehabilitate the final soil cap, and/or any deficiencies detected as soon as practically possible.

4.3 A written record of the inspections shall be maintained at the *Site*, and shall include the following:

- (a) name and signature of trained personnel conducting the inspection;
- (b) date and time of the inspection;
- (c) list of equipment and Facilities inspected and all deficiencies and/or any nuisance impacts observed;
- (d) a detailed description of any maintenance/repairs carried out and/or remedial action taken in order to control the nuisance;
- (e) date and time of maintenance/repair activity; and,
- (f) recommendations for remedial action and any preventative measures taken to prevent future reoccurrences.

#### **5.0 ENVIRONMENTAL CONTROL AND MONITORING**

5.1 Subject to the inclusion of monitoring well, MW7 in the existing regular monitoring program for groundwater quality monitoring, the *Township* shall carry out monitoring programs for groundwater/leachate and surface water, as summarized in Tables 3 and 4, respectively, in Item 2 of Schedule "A", attached to this Approval, and as per written instructions of the *District Manager*, through the review of the Annual Monitoring Reports, and any related OWRA requirements.

5.2 By December 31, 2015, the *Township* shall submit to the *Director* for approval, copied to the *District Manager*, a Land Use Permit obtained from the Ministry of Natural Resources and Forestry, permitting the use of the Crown lands to the north of the *Site* as contaminant attenuation zone, to bring the *Site* in compliance with Guideline B-7. Failing the acquisition of a Land Use Permit, as noted in this condition, the *Township* shall submit for the approval of the *Director*, copy to the *District Manager*, a proposed plan to bring the *Site* into compliance with Guideline B-7.

5.3 The *Township* shall ensure by means of a water monitoring program, that the *Site* shall be in

compliance with the *Ministry's* Reasonable Use Guideline (Guideline B-7) for groundwater, and the Provincial Water Quality Objectives (PWQO) for surface water.

5.4 Where groundwater interacts with surface water/wetland and test results confirm non-compliance with the Provincial Water Quality Objectives, an assessment of the potential impact of the discharging groundwater quality on the receiving surface water/wetland, along with mitigation action, as necessary, shall be carried out.

5.5 A recommendation to change the monitoring programs under this *Approval* , including reporting frequency, may be made in the Annual Monitoring Report, based on the results to date, and may be implemented, subject to the prior written concurrence of the *District Manager* .

5.6 Any groundwater/leachate monitoring well or landfill gas probe, included in the monitoring program that gets damaged or in any way made inoperable for sampling, shall be assessed, repaired, replaced or decommissioned, as the case may be, by the *Township* .

### **Surface Water Management**

5.7 The *Township* shall ensure that approval is obtained under Section 53 (sewage works) of OWRA, for any future surface water management works, including stormwater management ponds, if any, prior to construction and/or use.

### **Landfill Gas Monitoring**

5.8 The *Township* shall ensure that all buildings and structures existing at the *Site* or to be built on-*Site* which at times are occupied by people, or contains electrical equipment, or a potential source of ignition, are situated, constructed and monitored in a manner which minimizes the potential for explosive hazards due to landfill gas.

## **6.0 TRIGGER MECHANISM AND CONTINGENCY PLANS**

6.1 The *Township* shall follow the trigger mechanism for groundwater/leachate and surface water, as described in Section 6.0 in Item 2 of Schedule "A", attached to this *Approval* , and as per written recommendations of the *District Manager* , through the review of the Annual Monitoring Reports.

6.2 Notwithstanding Condition 6.1 above, the *Township* shall employ 75 th percentile of PWQO at the background station, as trigger concentration for all trigger parameters.

6.3 In the event of a confirmed exceedance of the site-specific trigger level relating to groundwater/leachate, or surface water impacts due to leachate, the Township shall immediately notify the *District Manager* , and an investigation into the cause and the need for implementation of remedial or contingency actions shall be carried out by the *Township* in accordance with the trigger mechanisms and associated contingency plans, as described in Section 6.2 and 6.4 in Item 2 of Schedule "A", attached to this *Approval* .

6.4 A recommendation to change the site-specific trigger mechanism for leachate impacts to the groundwater and/or surface, under this *Approval* , may be made in the Annual Monitoring Report, based on the results to date, and may be implemented, subject to the prior written concurrence of the *District Manager*.

## **7.0 ANNUAL REPORT**

7.1 **By March 31, of each year** , the *Township* shall submit to the *District Manager* , an Annual

Monitoring Report, prepared by a qualified professional engineer or geoscientist, covering the results of the *Site* operations, inspection/maintenance and monitoring of the *Site* . The Annual Monitoring Report shall cover the preceding calendar year, and shall include, as a minimum, the following:

- (a) an updated drawing(s) indicating all leachate, groundwater, surface water and landfill gas monitoring locations, including off-site monitoring wells, if any;
- (b) tables outlining monitoring locations, analytical parameters of sampled water and frequency of sampling;
- (c) the results and an interpretive analysis of the results of all leachate, groundwater, surface water and landfill gas monitoring, including an assessment of the need to amend the monitoring programs;
- (d) an assessment of the adequacy of and need to implement contingency measures for groundwater/leachate and surface water;
- (e) an assessment of the water quality with respect to the Ontario Reasonable Use Guidelines (Guideline B-7) and/or the Provincial Water Quality Objectives;
- (f) the status of compliance with all conditions of the *Approval* , including the operation, inspection, maintenance, monitoring and reporting requirements for all waste management activities at the *Site* ; and,
- (g) recommendations with respect to any proposed changes in the inspection/maintenance and monitoring of the landfill site and/or the reporting frequency.

#### REASONS

The reason(s) for this amendment to the *Approval* is (are) as follows:

1. The reason for **Conditions 1.1 to 1.7** and **1.10 to 1.12** is to clarify the legal rights and responsibilities of the *Township*.
2. The reasons for **Condition 1.8** are to restrict potential transfer or encumbrance of the *Site* without the approval of the *Director* and to ensure that any transfer or encumbrance can be made only on the basis that it will not endanger compliance with this *Certificate* .
4. The reason for **Condition 1.9** is to ensure that appropriate *Ministry* staff have ready access to the *Site* for inspection of facilities, equipment, practices and operations required by the conditions in this *Certificate* . This condition is supplementary to the powers of entry afforded a Provincial Officer pursuant to the *EPA* and *OWRA* .
5. The reason for **Conditions 1.13** and **1.14** is to ensure that any persons having an interest in the *Site* are aware that the land has been approved and used for the purposes of waste disposal.
6. The reasons for **Conditions 2.1** and **2.3** are to allow temporary operation of landfilling to alleviate emergency situation for waste management in the *Township* resulting from overfilling at the *Site*, and to develop long-term waste management plan.
7. The reason for **Conditions 2.2, 3.1 to 3.4, 5.5** and **6.4** is to ensure the *Site* is designed, developed, operated or closed, monitored and maintained in accordance with the application and supporting documentation submitted by the Owner, and not in a manner which the *Director* has not been asked to consider.

8. The reasons for **Conditions 2.4** are to ensure that waste disposal ceases at the *Site* having reached its capacity, and to ensure that *Site* closure is completed in an aesthetically pleasing manner, to provide long-term protection of the natural environment.

9. The reason for **Conditions 3.5 , 3.7 to 3.10 , 4.1 and 4.2** is to ensure the *Site* is operated, inspected and maintained in an environmentally acceptable manner and does not result in a hazard or nuisance to the natural environment or any person.

10. The reasons for **Conditions 3.6 and 4.3** are to provide for the proper assessment of effectiveness and efficiency of the *Site* performance, its effect or relationship to any nuisance or environmental impacts, and the occurrence and prompt response to any public concerns. Record keeping is necessary to determine compliance with this *Approval* , the *EPA* and its regulations.

11. The reasons for **Conditions 5.1 to 5.9** are to demonstrate that the *Site* is performing as designed, and the impacts on the natural environment are acceptable. 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 action can be taken.

12. The reasons for **Condition 6.1 to 6.3** are to ensure that the *Township* follows a plan with an organized set of procedures for identifying and responding to unexpected but possible problems at the *Site* . A remedial action / contingency plan is necessary to ensure protection of the natural environment and public health and safety.

13. The reasons for **Condition 7.1** are to ensure that regular review of *Site* operations and monitoring data is documented and any possible improvements to the *Site* operations or monitoring programs are identified. An annual report is an important tool used in reviewing *Site* activities and for determining conformance of this *Certificate* , the *EPA* and its regulations.

**This Notice shall constitute part of the approval issued under Approval No. A482101 dated December 4, 1989, as amended.**

*In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me and the Environmental Review Tribunal within 15 days after receipt of this Notice, require a hearing by the Tribunal. Section 142 of the Environmental Protection Act provides that the Notice requiring the hearing shall state:*

1. 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;
2. 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:*

3. The name of the appellant;
4. The address of the appellant;
5. The environmental compliance approval number;
6. The date of the environmental compliance approval;
7. The name of the Director, and;

8. 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:*

The Secretary\*  
Environmental Review Tribunal  
655 Bay Street, Suite 1500  
Toronto, Ontario  
M5G 1E5

AND

The Director appointed for the  
purposes of Part II.1 of the  
Environmental Protection Act  
Ministry of the Environment and  
Climate Change  
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) 212-6349, Fax: (416) 314-3717 or [www.ert.gov.on.ca](http://www.ert.gov.on.ca)**

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

DATED AT TORONTO this 8th day of June, 2015

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

DO/  
c: Area Manager, MOECC Cornwall  
c: District Manager, MOECC Ottawa  
Paul Smolkin/Yannick Marcerou, Golder Associates Ltd.