

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 4196-BBPRYY

Issue Date: July 26, 2019

Enbridge Gas Inc.
500 Consumers Rd
Toronto, Ontario
M2J 1P8

Site Location: Dufferin Waste Management Facility
35-75 Vanley Crescent
Toronto, Ontario
M3B 2J7

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 0.076 hectare waste disposal site (transfer/processing) to be used for receipt of 1,008 normalized cubic metres per hour of biogas originating from anaerobic digestion of source separated organic waste from a municipal collection program and upgrading the biogas into Renewable Natural Gas for injection into natural gas distribution infrastructure, encompassing the following equipment and systems:

knockout tanks, blowers, compressors and cooler/heat exchanger to remove moisture from the biogas and to condition the biogas for treatment in the following biogas upgrading equipment:

- one (1) packed bioscrubber using sodium hydroxide solution to remove hydrogen sulphide from the biogas;
- one (1) Hydrogen Sulphide Scavenger unit consisting of two (2) activated carbon towers to remove hydrogen sulphide, volatile organic compound and siloxanes from the biogas; and
- one (1) Pressure Swing Adsorption unit to treat and convert the biogas into Renewable Natural Gas; and

one (1) Passive Gas Management System consisting of eight (8) perforated collection pipes, four (4) beneath the Biogas Upgrading System Facility and four (4) beneath the Renewable Natural Gas injection station, to collect and minimize potential gas accumulation;

Note: Use of the site for any other type of waste is not approved under this

environmental compliance approval, and requires obtaining a separate approval amending this environmental compliance approval.

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

" **Adverse Effect** " is as defined in the *EPA*;

"**Approval**" means this Environmental Compliance Approval and any Schedules to it, including the application and supporting documentation listed in Schedule "A";

"**Biogas**" means the gaseous waste generated from microbial biodegradation of biodegradable organic wastes conducted under anaerobic conditions;

"**BMS Facility**" means the Biogas Upgrading System Facility;

"**District Manager**" means the District Manager of the Toronto District Office of the Ministry;

"**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 II.1 of the *EPA*;

"**Dufferin Waste Management Facility**" means the waste disposal site located at 35 & 75 Vanley Crescent, in the City of Toronto, Ontario, approved under the Environmental Compliance Approval NUMBER A280709 dated August 20, 2018, as amended;

"**Environmental Compliance Approval (Air/Noise)**" means the Environmental Compliance Approval issued for the Site for the activities referred to in subsection 9 (1) of the *EPA*;

"**EPA**" means *Environmental Protection Act*, R.S.O. 1990, c. E. 19, as amended;

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

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

"**OWRA**" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;

"**Owner**" means Enbridge Gas Inc. that is responsible for the construction or operation of the Site and includes any successors and assigns in accordance with section 19 of the *EPA*;

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

"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 the *PA* or Section 4 of the *NMA* or Section 8 of the *SDWA*

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

"Renewable Natural Gas" means the Biogas upgraded in the BMS Facility and destined for injection into natural gas distribution infrastructure;

"Site" means the 0.076 hectare waste disposal site (transfer/processing) area, referred to in this Approval as the BMS Facility, located at Dufferin Waste Management Facility, at 35-75 Vanley Crescent, Toronto, Ontario;

"Spill" is as defined in the *EPA* and it includes releases to the atmosphere from any pressure relief valves that are a part of the BMS Facility;

"Substantial Completion" has the same meaning as "substantial performance" in the *Construction Act*, R.S.O. 1990, c. C.30, as amended;

"Trained Personnel" means an employee trained in accordance with the requirements of Condition 10.2 and is knowledgeable through instruction and/or practice and able to carry out any necessary duties.

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

TERMS AND CONDITIONS

1.0 GENERAL

1.1 Compliance

(1) The Owner 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.

1.2 Build, etc. in Accordance

(1) Except as otherwise provided by this Approval, the Site shall be designed, developed, built, operated and maintained in accordance with the application for this Environmental Compliance Approval dated February 13, 2019, submitted by Enbridge Gas Inc. and signed by Michelle George.

1.3 As-built Drawings

(1) Upon the Substantial Completion of the Site, the Owner shall prepare a statement, certified by a Professional Engineer, that the Site is constructed in accordance with this Approval, and upon request, shall make the written statement available for inspection by Ministry personnel.

(2) Within one (1) year of the Substantial Completion of the Site, a set of as-built drawings showing the Site "as constructed" shall be prepared. For revisions not requiring an amendment to the Approval, these drawings shall be kept up-to-date through revisions undertaken from time to time and a copy shall be retained at the Site for the operational life of the Site.

1.4 Interpretation

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

(2) 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.

(3) 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.

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

1.5 Other Legal Obligations

(1) The issuance of, and compliance with the conditions of this Approval 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 Approval.

(2) Despite an Owner or any other person fulfilling any obligations imposed by this Approval, the person remains responsible for any contravention of any other condition of this Approval or any applicable statute, regulation, or other legal requirement resulting from any act or omission that caused the Adverse Effect or impairment of water quality.

1.6 Adverse Effect

(1) The Site shall be constructed, operated and maintained in a manner which ensures the health and safety of all persons and prevents generation of negative environmental impacts including but not limited to dust, odours, vectors, pests, birds, litter, vibration, noise and any other negative environmental effects that may cause an Adverse Effect.

(2) If at any time dust, including dust from vehicles leaving the Site, odours, vectors, pests, birds, litter, vibration, noise or other such negative environmental effects are generated at the Site and cause an Adverse Effect, the Owner shall take immediate and appropriate remedial action(s) that is/are necessary to alleviate the Adverse Effect, including suspension of all waste management activities and removal of waste from the Site, if necessary.

(3) The Owner shall take steps to minimize and ameliorate any Adverse Effect on the natural environment or impairment of water quality resulting from the approved operations at the Site, including such steps as accelerated or additional monitoring as may be necessary to determine the nature and extent of the effect or impairment.

1.7 Change of Owner

(1) 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 change in:

- a. the ownership of the Site;
- b. the operator of the Site;
- c. the address of the Owner;
- 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, as amended, shall be included in the notification; or
- 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, as amended, shall be included in the notification.

(2) 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. 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 Approval, and the Owner shall provide a copy of the notification to the District Manager and the Director.

1.8 Inspections by the Ministry

(1) No person shall hinder or obstruct a Provincial Officer from carrying out any and all inspections authorized by the *OWRA*, the *EPA*, the *PA*, the *SDWA* or the *NMA* of any place to which this Approval relates, and without limiting the foregoing:

- a. to enter upon the premises where the approved processing is undertaken, or the location where the records required by the conditions of this Approval are kept;
- b. to have access to, inspect, and copy any records required to be kept by the conditions of this Approval;
- c. to inspect the Site, related Equipment and appurtenances;
- d. to inspect the practices, procedures, or operations required by the conditions of this Approval;
- e. to conduct interviews with staff, contractors, agents and assignees of the Owner; and
- f. to sample and monitor for the purposes of assessing compliance with the terms and conditions of this Approval or the *EPA*, the *OWRA*, the *PA*, the *SDWA* or the *NMA*.

1.9 Information and Record Retention

(1) Any information requested by the Ministry, concerning the operation of the Site and its operation under this Approval, including but not limited to any records required to be kept by this Approval shall, upon request, be provided to the Ministry in a timely manner and in a format specified by the Ministry. All records shall be retained for two (2) years except as otherwise authorized in writing by the Director.

(2) 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 Approval 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 Approval or any statute, regulation or other legal requirement; or
- b. acceptance by the Ministry of the information's completeness or accuracy.

(3) The Owner shall ensure that a copy of this Approval, in its entirety and including all its Notices of Amendment, and the documentation listed in Schedule "A", are retained at the Owner's office at all times.

2.0 SIGNS and SITE SECURITY

(1) The Owner shall maintain a sign at the entrance to the Site. The sign shall be visible and readable twenty-four hours (24) per day and it shall be posted in a prominent location at the entrance to the Site. The following information shall be included on the sign:

- a. name of the Owner;
- b. this Approval number;
- c. Owner's twenty-four hour emergency telephone number;
- d. a warning against unauthorized access; and
- e. any applicable hazard warnings.

(2) The Site must be maintained in a secure manner, such that unauthorized persons cannot enter the Site.

(3) The Owner shall ensure that the Site is fenced in and that access to and from the Site is limited by providing access to the Site by a roadway closed by a gate capable of being locked.

(4) The Owner shall ensure that all buildings are locked to restrict access only to authorized personnel when the Site is not open.

(5) The Owner shall ensure that the Site is operated in a safe and secure manner, and that all waste is properly handled, contained, stored and labelled so as not to pose any threat to the Site personnel and the natural environment.

(6) The Owner shall install and maintain appropriate and visible signs at the Site to direct vehicles to the waste removal areas, as appropriate.

(7) As appropriate, the Owner shall post appropriate and visible signs along the traffic route providing clear directions to the Site and to all waste pick-up areas and other

appropriate instructions.

3.0. SERVICE AREA, APPROVED WASTE TYPES and RATES

3.1 Approved Waste Type and Service Area

(1) The Site may only accept the Biogas generated at the Dufferin Waste Management Facility.

3.2 Approved Waste Rates

(1) The Owner is only approved to receive the approved Biogas in quantity that is not to exceed a maximum of 1,008 normalized cubic metres per hour.

4.0 SITE OPERATIONS

4.1 Operating Hours

Receipt of Biogas at the Site

(1) The Owner may receive the Biogas at the Site 24/7, 365 days per year.

Processing of Biogas at the Site

(2) The Owner may process the Biogas at the Site 24/7, 365 days per year.

4.2 Incoming Waste Receipt

(1) The Biogas shall be delivered by the pipeline between the Dufferin Waste Management Facility digesters and the BMS Facility as set out in the supporting documentation listed in the attached Schedule "A".

4.3 Rejected Waste Handling and Disposal

(1) In the event that the Biogas that cannot be processed at the BMS Facility is inadvertently accepted at the Site, the Owner shall return this Rejected Waste to the Dufferin Waste Management Facility for flaring, as approved under the Environmental Compliance Approval (Air/Noise) for the Dufferin Waste Management Facility.

4.4 Waste and Chemical Reagents Storage

(1) The Owner is approved to store waste, including the Biogas at the Site, as follows:

- a. sludge from the hydrogen sulphide removal scrubber shall be stored in sealed containers (buckets) at the Site, within a designated container shown in the supporting documentation listed in the attached Schedule "A";
- b. Biogas shall be stored in Light Residual Surge Tank that is approximately 3.6 metres in height and 1.5 metres in diameter and has a maximum holding capacity of 5.125 Litres;
- c. Biogas shall be stored in Tail Gas Surge Tank that is approximately 3.6 metres in height and 1.5 metres in diameter and has a maximum holding capacity of 5.125 Litres; and
- d. Renewable Natural Gas shall be stored in Product Buffer Tank that is approximately 3.6 metres in height and 1.5 metres in diameter and has a maximum holding capacity of 5.125 Litres.

(2) The Owner is approved to store Sodium Chloride solution at the Site as follows:

- a. in the storage tank that is approximately 1.9 metres in height and 1.2 metres in diameter;
- b. in the storage tank that has a maximum holding capacity of 1,500 Litres; and
- c. in the storage tank that is a double-wall tank, exhausting to the atmosphere.

4.5 Biogas Management Activities:

(1) The following waste management activities are approved under this Approval:

- a. receipt of the Biogas at the BMS Facility;
- b. moisture removal in knockout tank(s);
- c. cooling and compressing of the Biogas to condition the Biogas for treatment at the BMS Facility;
- d. hydrogen sulphide removal in a packed tower bioscrubber, using a sodium hydroxide solution;
- e. additional hydrogen sulphide removal in the Hydrogen Sulphide Scavenger unit comprising two (2) activated carbon filters in series;
- f. treatment of the Biogas in the Pressure Swing Adsorption system to upgrade the Biogas into Renewable Natural Gas; and
- g. compression of the Renewable Natural Gas for the intended injection into natural gas distribution infrastructure.

4.6 Residual Waste Handling and Disposal

(1) The Owner shall ensure that solid Residual Waste is:

- a. stored in designated areas of the Site, as approved in this Approval;
- b. segregated from all other waste; and
- c. managed and removed from the Site in accordance with this Approval, *Regulation 347* and the *EPA*.

(2) Gaseous Residual Waste may be emitted to the atmosphere in accordance with the Environmental Compliance Approval (Air/Noise).

4.7 Prohibitions:

(1) The Site shall not receive any solid non-hazardous or subject waste as defined under *Regulation 347*, except for the Biogas approved for receipt at the Site under this Approval.

(2) The condensate generated at the Site shall not be inputted into the anaerobic digesters at the Dufferin Waste Management Facility.

4.8 Wastewater Management

(1) All condensate generated at the Site shall be:

- a. discharged to the municipal sewer subject to compliance with the municipal sewer-use by-law; or
- b. inputted into the wastewater treatment plant at Dufferin Waste Management Facility as approved under the Environmental Compliance Approval NUMBER A280709 dated August 20, 2018, as amended; or
- c. transferred to a site having an Environmental Compliance Approval, as required, issued by the Ministry.

5.0 EQUIPMENT and SITE INSPECTIONS and MAINTENANCE

5.1 Inspections

(1) Within ninety (90) days from the issuance of this Approval or as acceptable to the District Manager, the Owner shall prepare a comprehensive written inspection program which includes procedures for inspections of all aspects of the Site's operations including the following:

- a. condition of all major Biogas treatment equipment;

- b. condition of all storage facilities approved under this Approval;
- c. condition of all instruments required for all monitoring required under this Approval;
- d. condition of the security fence and the gate to the Site; and
- e. presence of Biogas or Renewable Natural Gas leaks at the Site.

(2) The inspection program shall be up-dated, as required, shall be retained at the Site and be made available for inspection by a Provincial Officer, upon request.

(3) The inspections required in Condition 5.1(1) shall be undertaken monthly by Trained Personnel in accordance with the inspection program to ensure that all equipment and facilities at the Site are maintained in good working order at all times and that no off-Site impacts are occurring. Any deficiencies detected during these regular inspections must be promptly corrected.

5.2 Spare Parts

(1) The Owner shall prepare a list of critical spare parts and update this list annually or more frequently, if necessary, to ensure that this list is maintained up-to-date. The list shall be retained at the Site and be made available for inspection by a Provincial Officer, upon request.

(2) The Owner shall ensure that the critical spare parts are available at the Site at all times or be immediately available from an off-Site supplier.

5.3 Maintenance

(1) The Owner shall develop and implement a preventative maintenance program for all on-Site equipment associated with processing and managing of wastes.

(2) The preventative maintenance program referred to in Condition 5.3(1) shall be maintained up-to-date, be retained at the Site and be available for inspection by a Provincial Officer, upon request.

6.0 BIOGAS QUALITY CRITERIA

(1) Renewable Natural Gas shall comply with the applicable criteria required for its intended injection into the natural gas infrastructure.

7.0 MONITORING

7.1 The Biogas shall be monitored following the Pressure Swing Adsorption system, as

set out in the supporting documentation listed in the attached Schedule "A".

7.2 For the purpose of ensuring that the activated carbon breakthrough does not occur, the Biogas shall be monitored as set out in the supporting documentation listed in the attached Schedule "A".

8.0 END-USE OF TREATED BIOGAS

8.1 Treated Biogas is considered to be Renewable Natural Gas when it meets the requirements for injection into the natural gas infrastructure.

8.2 Treated Biogas which does not meet the required Renewable Natural Gas quality criteria shall be transferred to the Dufferin Waste Management Facility for flaring.

9.0 COMPLAINTS RESPONSE PROCEDURE

(1) A designated representative of the Owner shall be available to receive public complaints caused by the operations at the Site twenty-four (24) hours per day, seven (7) days per week.

(2) If at any time, the Owner receives a complaint regarding the operation of the Site, the Owner shall respond to the complaint according to the following procedure:

- a. the Owner shall record each complaint on a formal complaint form entered in a computerized tracking system. The information recorded shall include the nature of the complaint, circumstances of the complaint including the wind direction and other weather conditions, the name, address and the telephone number of the complainant, if available, and the time and date of the complaint;
- b. the Owner, upon notification of the complaint shall initiate appropriate steps to determine the validity of the complaint, all possible causes of the complaint, 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 immediately notify the District Manager in writing, of the received complaint, followed with the submission of a written report within one (1) week of the complaint detailing what actions, if any, were taken to validate the complaint, identify and remediate the cause of the complaint, the name(s) of Company personnel responsible for handling the incident and a description of the measures taken to prevent a similar occurrence in the future.

10.0 OPERATIONS MANUAL and STAFF TRAINING

10.1 Operations Manual

(1) The Owner shall ensure that an Operations Manual for the Site is prepared prior to the first receipt of the Biogas at the Site. As a minimum, the Operations Manual shall contain the following:

- a. Site operating procedures;
- b. outline of the responsibilities of the Site personnel;
- c. personnel training protocols;
- d. sampling, testing, monitoring and recording procedures as required by this Approval;
- e. the contingency plans for the Site;
- f. emergency response procedures including an outline of the responsibilities of Site personnel including roles and responsibilities during emergency situations, exit locations and evacuation routing, and locations of relevant equipment available for handling of the emergency situations;
- g. equipment and Site inspection procedures, as required by this Approval;
- h. nuisance impact control & housekeeping procedures, as required by this Approval; and
- i. the procedures for handling and recording complaints as described in this Approval.

(2) The Operations Manual shall be regularly updated, as required.

(3) A copy of the Operations Manual shall be kept at the Site and must be accessible to Site personnel at all times.

10.2 Staff Training

(1) All Site personnel shall be trained with respect to the following:

- a. operation and management of the Site, or area(s) within the Site, as per the specific job requirements of each individual operator in accordance with the Operations Manual required by Condition 12.1, above;
- b. terms and conditions of this Approval, relevant to the specific job requirements of each individual operator in accordance with the Operations Manual required by Condition 12.1, above;
- c. environmental, and occupational health and safety concerns pertaining to the wastes to be handled;
- d. emergency first-aid information; and

e. relevant waste management legislation and regulations, including the *EPA and Regulation 347*.

(2) The Owner shall ensure that all employees at the Site are trained in the requirements of this Approval relevant to the employee's position:

- a. upon commencing employment at the Site in a particular position; and
- b. whenever items listed in Condition 12.2(1) are changed or during the planned three (3)-year refresher training.

11.0 EMERGENCY RESPONSE AND CONTINGENCY PLAN

(1) Prior to the first receipt of Biogas at the Site, or as acceptable to the District Manager, the Owner shall prepare an Emergency Response and Contingency Plan for the Site. The Emergency Response and Contingency Plan shall be prepared in consultation with the District Manager. The Owner shall also invite the local municipality and the local Fire Department to provide input and/or comments into preparation of the Emergency Response and Contingency Plan. The Emergency Response and Contingency Plan, as a minimum shall include the following:

- a. emergency response procedures to be undertaken in the event of a spill, process upset, power failure, fire, explosion or any other emergency situation, including specific clean up methods for wastes expected to be generated from the emergency situation;
- b. a list of equipment and clean up materials available for dealing with the emergency situations and their locations on the Site plan;
- c. notification protocol with names and telephone numbers of persons to be contacted, including persons responsible for the Site, the Ministry's District Office and Spills Action Centre, the local Fire Department, the local Municipality, the local Medical Officer of Health, and the Ministry of Labour, and the names and telephone numbers of waste management companies available for emergency response; and
- d. procedures and actions to be taken should the waste management activities at the Site result in occurrence of complaints.

(2) An up-to-date version of the Emergency Response and Contingency Plan shall be kept at the Site, in a central location known and available to all Site personnel. A copy shall be made available to Ministry staff upon request and to the local municipality and the local Fire Department, if requested.

(3) The Emergency Response and Contingency Plan shall be reviewed on an annual

basis and updated, if necessary. The revised version of the Emergency Response and Contingency Plan shall be provided to the District Manager and to the local municipality and the Fire Department, if requested.

12.0 EMERGENCY SITUATIONS RESPONSE AND REPORTING

(1) The Owner shall immediately take all necessary measures, as set out in the Emergency Response and Contingency Plan, to handle the emergency situations occurring at the Site.

(2) The Owner shall ensure that the equipment and materials outlined in the Emergency Response and Contingency Plan are immediately available at the Site at all times and are in a good state of repair and fully operational.

(3) The Owner shall ensure that all Site personnel are fully trained in the use of the equipment and materials outlined in the Emergency Response and Contingency Plan, and in the procedures to be employed in the event of an emergency.

(4) All Spills, as defined in the *EPA*, shall be immediately reported to the **Ministry's Spills Action Centre at 1-800-268-6060** and to the local municipality shall be recorded in the log book as to the nature and cause of the spill, and the action taken for clean-up, correction and prevention of similar future occurrences.

(5) Should a Spill, as defined in the *EPA*, occur at the Site, in addition to fulfilling the requirements from the *EPA*, the Owner shall submit to the District Manager a written report within three (3) working days outlining the nature of the Spill, remedial measure taken and the measures taken to prevent future occurrences at the Site.

13.0 RECORDS KEEPING

13.1 Activities at the Site

(1) The Owner shall maintain a written or digital record of activities undertaken at the Site. All measurements shall be recorded in consistent metric units of measurement. The record shall include, as a minimum, the following information:

- a. date and the quantity of Biogas received at the Site;
- b. date and the quantity of Renewable Natural Gas transferred from the Site to the natural gas distribution infrastructure;
- c. date and the quantity of condensate transferred off-Site to the wastewater treatment plant at the Dufferin Waste Management Facility;

- d. date and the quantity of Biogas transferred off-Site for flaring;
- e. date of the activated carbon replacement;
- f. date and the amount of the sludge removed from the bioscrubber and temporarily stored at the Site; and
- g. date and the amount of the sodium hydroxide solution added to the bioscrubber.

13.2 Emergency Situations

(1) The Owner shall maintain a written or digital record of the emergency situations. The record shall include, as a minimum, the following:

- a. the type of an emergency situation;
- b. description of how the emergency situation was handled;
- c. the type and amount of material spilled, if applicable;
- d. a description of how the spilled material was cleaned up and waste stored, if generated; and
- e. the location and time of final disposal, if applicable.

13.3 Inspections

(1) The Owner shall maintain a written or digital record of inspections as required by this Approval. The record shall include, as a minimum, the following:

- a. the name and signature of person that conducted the inspection;
- b. the date and time of the inspection;
- c. the list of any deficiencies discovered;
- d. the recommendations for remedial action; and
- e. the date, time and description of actions taken.

13.4 Training

(1) The Owner shall maintain a written or digital record of training as required by this Approval. The record shall include, as a minimum, the following:

- a. date of training;
- b. name and signature of person who has been trained; and
- c. description of the training provided.

13.5 Monitoring Records

(1) The Owner shall establish and maintain a written or digital record of all monitoring activities at the Site as required by this Approval. This record shall include, as a minimum, the following information:

- a. Biogas monitoring results as required by this Approval.

13.6 Complaints Response Records

(1) The Owner shall establish and maintain a written or digital record of all complaints and the responses as required by this Approval.

13.7 Annual Report

(1) By March 31st following the end of each operating year, the Owner shall prepare and submit to the District Manager, an Annual Report, in a format or formats acceptable to the District Manager, summarizing the operation of the Site covering the previous calendar year. This Annual Report shall include, as a minimum, the following information:

- a. annual amount of Biogas received at the Site;
- b. annual amount of Renewable Natural Gas transferred from the Site to the natural gas distribution infrastructure;
- c. annual amount of condensate transferred off-Site to the wastewater treatment plant or municipal sewer at the Dufferin Waste Management Facility;
- d. annual amount of Biogas transferred off-Site for flaring;
- e. any environmental and operational problems, that could negatively impact the environment, encountered during the operation of the Site or identified during the facility inspections and any mitigative actions taken;
- f. any changes to the Emergency Response and Contingency Plan, the Operations Manual or the Closure Plan that have been approved by the Director or the District Manager since the last Annual Report;
- g. any recommendations to minimize environmental impacts from the operation of the Site and to improve Site operations and monitoring programs in this regard;
- h. a summary of any complaints received and the responses made, as required by this Approval;
- i. a summary of the monitoring required by this Approval;
- j. a descriptive summary of any spills, incidents or other emergency situations which have occurred at this Site, any remedial measures taken, and the measures taken to prevent future occurrences;

- k. an annual summary of any deficiencies, items of non-compliance or process aberrations that occurred at this Site and any remedial/mitigative action taken to correct them; and
- l. a condition-by-condition analysis of compliance with all conditions of this Approval.

(2) The Owner shall keep a copy of the latest Annual Report at the Site, at all times.

14.0 CLOSURE PLAN

(1) The Owner shall submit, for approval by the Director, a written Closure Plan for the Site at least nine (9) months prior to closure of the Site. This Closure Plan shall include a description of the work that will be done to facilitate closure and clean-up of the Site and a schedule for completion of that work.

(2) Within ten (10) days after closure of the Site, the Owner shall notify the Director, in writing, that the Site is closed and that the Closure Plan has been implemented.

Schedule "A"

This Schedule "A" forms part of this Environmental Compliance Approval

1. Environmental Compliance Approval dated February 13, 2019, submitted by Enbridge Gas Inc. and signed by Michelle George, including the following supporting documentation:

- a. cover letter dated February 13, 2019
- b. Attachment 1 - Proof of legal name
- c. Attachment 2 - Design & Operation Plan
- d. Attachment 3 - Consent of the land site owner
- e. Attachment 4 - Public consultation documentation
- f. Attachment 5 - Zoning Map
- g. Attachment 6 - Meeting minutes from pre-submission meeting (January 15, 2019)

2. Letter dated March 6, 2019 to Ricki Allum, Ontario Ministry of the Environment, Conservation and Parks, from David Barton, GHD with additional information on the proposal.

3. Letter dated April 4, 2019 to Margaret Wojcik, Ontario Ministry of the Environment, Conservation and Parks, from David Barton, GHD with additional information on the proposal, including revised Figure 2 entitled "BMS SITE PLAN" and revised Figure 3 - Rev.1 entitled "PROCESS FLOW DIAGRAM".

4. Letter dated May 10, 2019 to Margaret Wojcik, Ontario Ministry of the Environment, Conservation and Parks, from David Barton, GHD with additional information on the proposal, including revised Figure 2 entitled "BMS SITE PLAN".

5. E-mail dated June 21, 2019 (3:26 p.m.) from Ryan Loveday, GHD, to Margaret Wojcik, Ontario Ministry of the Environment, Conservation and Parks, including an attachment entitled "2019-6-13 dr ECA Suggested Edits.docx".

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

Conditions 1.1, 1.4, 1.5, 1.6 and 1.9 are included to clarify the legal rights and responsibilities of the applicant.

Conditions 1.2 and 1.3 are included 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.

Condition 1.7(1) is included 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.

Condition 1.7(2) is also included 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 Approval.

Condition 1.8 is included to ensure that the appropriate Ministry staff has ready access to the operations of the Site which are approved under this Approval. Condition 1.(8) is supplementary to the powers of entry afforded a Provincial Officer pursuant to the *EPA*, the *OWRA*, the *PA*, the *NMA* and the *SDWA*.

SIGNS and SITE SECURITY

Condition 2.0 is included to ensure that the Site's users, operators and the public are fully aware of important information and restrictions related to the operation of the Site.

Condition 2.0 is also included to ensure that the Site is sufficiently secured, supervised and operated by properly trained personnel and to ensure controlled access and integrity of the Site by preventing unauthorized access when the Site is closed and no site personnel is on duty.

SERVICE AREA, BIOGAS and CHEMICAL REAGENTS RATES

Condition 3.0 is included to specify the approved Biogas and chemical reagents receipt rates and the service area from which Biogas may be accepted at the Site based on the Owner's application and supporting documentation.

SITE OPERATIONS

Condition 4.(1) is included to specify the hours of operation for the Site to ensure that the hours of Site's operation do not result in an adverse effect or a hazard to the natural environment or any person.

Condition 4.(2) is included to ensure that only the approved Biogas is accepted and processed at the Site.

Condition 4.(3) is included to specify the requirements for handling of the Rejected Waste that was inadvertently received at the Site.

Conditions 4.(4) through 4.(8) are included to ensure that waste management at the Site is undertaken in a way which does not result in an adverse effect or a hazard to the environment or any person.

Condition 4.(4) is also included to specify the maximum amount of wastes that are approved to be stored at the Site.

EQUIPMENT AND SITE INSPECTIONS and MAINTENANCE

Condition 5.0 is included to require the Site to be maintained and inspected thoroughly and on a regular basis to ensure that the operations at the Site are undertaken in a manner which does not result in an adverse effect or a hazard to the health and safety of the environment or any person.

BIOGAS QUALITY CRITERIA

Condition 6.0 is included to identify applicable quality criteria to be used to characterize the treated Biogas to ensure that it is suitable for injection into natural gas distribution infrastructure so that it can be offered for retail sale to meet a realistic market demand and therefore be eligible for exemption set out in section 3.(2)1. *Regulation 347*.

MONITORING

Condition 7.1 is included to characterize the treated Biogas to demonstrate compliance with the required quality criteria. Condition 7.1 is also included to identify the need to flare the Biogas if it is unsuitable for injection into natural gas distribution infrastructure.

Condition 7.2 is included to require the Biogas monitoring so that the activated carbon filter does not experience a breakthrough.

END-USE OF TREATED BIOGAS

Condition 8.0 is included to set out instructions for handling of treated Biogas and to ensure that treated Biogas is properly managed and disposed of in accordance with the Ministry's regulatory requirements and in a manner that protects the health and safety of the public and the environment.

COMPLAINTS RESPONSE PROCEDURE

Condition 9.0 is included to require the Owner to respond to any environmental complaints resulting from the Site appropriately and in a timely manner and that appropriate actions are taken to prevent any further incidents that may cause complaints in the future.

OPERATIONS MANUAL and STAFF TRAINING

Condition 10.0 is included to ensure that personnel employed at the Site are fully aware and properly trained on the requirements and restrictions related to Site operations under this Approval.

EMERGENCY RESPONSE AND CONTINGENCY PLAN & EMERGENCY SITUATIONS RESPONSE AND REPORTING

Condition 11.0 is included to ensure that the Owner is prepared and properly equipped to take action in the event of an emergency or operational upset situation.

Condition 12.0 is included to require further spill notification to the Ministry, in addition to the requirements already listed in Part X of the *EPA*.

RECORDS KEEPING

Condition 13.0 is included to ensure that detailed records of Site activities, including inspections, monitoring and upsets are recorded and maintained for inspection and information purposes.

CLOSURE PLAN

Condition 14.0 is included to ensure that final closure of the Site is completed in accordance with Ministry's standards.

In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me, the Environmental Review 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 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.

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:

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

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 Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349, Fax: (416) 326-5370 or www.ert.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 www.ebr.gov.on.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 26th day of July,
2019

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

MW/
c: District Manager, MECP Toronto - District
David Barton, GHD