

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 7257-AXSTJK

Issue Date: August 21, 2019

GFL Environmental Inc.
100 New Park Place, Unit #500
Vaughan, Ontario
L4K 0H9

Site Location: 320, 334 and 348 Unwin Avenue
City of Toronto

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:

one (1) ex-situ bioremediation facility, for the receipt and treatment of non-hazardous Contaminated Soil impacted with petroleum hydrocarbons, comprising of the following processes and associated equipment:

- four (4) Biocells each having the dimensions as listed in Schedule "A";
- one (1) screener powered by a diesel engine rated at 97 kilowatts, exhausting into the air through a stack, having an exit diameter of 0.08 metre and extending 0.30 metre above grade;
- one (1) stacker powered by a diesel engine rated at 63 kilowatts, exhausting into the air through a stack, having an exit diameter of 0.06 metre and extending 0.28 metre above grade; and
- two (2) microbe tanks, each having a capacity no greater than 2,000 litres;

all in accordance with the Environmental Compliance Approval Application submitted by GFL Environmental Inc., dated March 2, 2017 and signed by Damian Rodriguez, Vice President, Soil Operations; the supporting information, including the Emission Summary and Dispersion Modelling Report, submitted by Airzone One Ltd., dated March 7, 2017, revised on April 12, 2018 and signed by Lucas Neil; and an email dated May 28, 2018 from Damian Rodriguez of GFL Environmental Inc.

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

1. "Approval" means this Environmental Compliance Approval, including the

application and supporting documentation listed above;

2. "*Best Management Practices Plan*" means the document titled "Best Management Practices Plan: Fugitive Dust Emissions & Odour Control (Revision 7)", dated December 2018 and prepared by GFL Environmental Inc., which describes measures to minimize dust and odour emissions from the *Facility* and/or *Equipment*;
3. "*Bioaugmentation Compound*" means non-pathogenic, non-toxic, specialized microbes used to enhance bioremediation. In this *Approval*, it means the compound(s) described in the *Company's* application, this *Approval*, and in the supporting documentation submitted with the application;
4. "*Biocell*" means a treatment cell for *Contaminated Soil* undergoing biological treatment with active aeration through mechanical mixing or air injection;
5. "*Biostimulation Compound*" means any chemical amendment, nutrient amendment or pH adjustment chemical, other than a *Bioaugmentation Compound* used in the *Process* to enhance bioremediation. In this *Approval*, it means the compound(s) described in the *Company's* application, this *Approval* and in the supporting documentation submitted with the application;
6. "*Company*" means GFL Environmental Inc., that is responsible for the construction or operation of the *Facility* and includes any successors and assigns;
7. "*Contaminated Soil*" means the incoming contaminated soil received at the site and destined for bioremediation at the site or transfer off-site;
8. "*District Manager*" means the District Manager of the appropriate local district office of the *Ministry* where the *Facility* is geographically located;
9. "*EPA*" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended ;
10. "*Equipment*" means the equipment associated with the *Process* described in the *Company's* application, this *Approval*, and in the supporting documentation submitted with the application, to the extent approved by this *Approval*;
11. "*ESDM Report*" means the Emission Summary and Dispersion Modelling Report which was prepared in accordance with section 26 of *O. Reg. 419/05* and the *Procedure Document* by Airzone One Ltd., dated March 7, 2017, revised on April 12, 2018 and signed by Lucas Neil, submitted in support of the application, and includes any changes to the report made up to the date of issuance of this *Approval*;
12. "*Facility*" means the entire operation located on the property where the *Equipment* is located;
13. "*Manual*" means a document or a set of documents that provide written

instructions to staff of the *Company*;

14. "*Ministry*" means the Ministry of the Government of Ontario responsible for the *EPA* and includes all officials, employees or other persons acting on its behalf;
15. "*O. Reg. 347*" means R.R.O. 1990, Regulation 347, General - Waste Management;
16. "*O. Reg. 419/05*" means Ontario Regulation 419/05, Air Pollution – Local Air Quality, as amended;
17. "*PLC*" means the Public Liaison Committee established for the dissemination, consultation, review and exchange of information relevant to the operation of the *Facility*, and consists of stakeholders to the extent approved by this *Approval*;
18. "*Procedure Document*" means *Ministry* guidance document titled "Procedure for Preparing an Emission Summary and Dispersion Modelling Report" dated March 2018, as amended;
19. "*Process*" means the soil remediation process as described in the *Company's* application, this *Approval*, and in the supporting documentation submitted with the application, to the extent approved by this *Approval*;
20. "*Processed Soil*" means the *Contaminated Soil* processed at the site, where processing is limited to screening and bioremediation of the incoming *Contaminated Soil* and bulking, mixing or blending of similar soils;
21. "*Publication NPC-300*" means the *Ministry* Publication NPC-300, "Environmental Noise Guideline, Stationary and Transportation Sources - Approval and Planning, Publication NPC-300", August 2013 as amended;
22. "*Residual Waste*" means waste resulting from the management of the *Contaminated Soil* at the site and destined for further management at an off-site location or final disposal;
23. "*Schedule*" means the schedules attached to, and forming part of, this *Approval*, namely:
 - Schedule "A" - Biocell Parameters;
 - Schedule "B" - Contaminant Concentrations Threshold.
24. "*Screening Equipment*" means one (1) Screener and one (1) Stacker as described in the *Company's* application, this *Approval* and in the supporting documentation submitted with the application, to the extent approved by this *Approval*; and
25. "*Source Site*" means the location of origin of the non-hazardous *Contaminated Soil* which is received at the site for treatment.

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. OPERATION AND MAINTENANCE

1. The *Company* shall ensure that the *Equipment* is properly operated and maintained at all times. The *Company* shall:
 - a. prepare, not later than three (3) months after the date of this *Approval*, and update, as necessary, a *Manual* outlining the operating procedures and a maintenance program for the *Facility*, including:
 - i. routine operating and maintenance procedures in accordance with good engineering practices and as recommended by the *Equipment* suppliers;
 - ii. frequency of inspections and scheduled preventative maintenance of the *Equipment* and *Process*;
 - iii. procedures to record the operation of the *Process* including the quantity of *Contaminated Soil* received and treated in the *Facility*, the quantity of *Contaminated Soil* in each *Biocell*, and total quantity of soil at the *Facility*;
 - iv. procedures to verify and record the degree of hydrocarbon contamination of the *Contaminated Soil* delivered to the *Facility* for treatment;
 - v. procedures to prevent and/or minimize, monitor and record odour from the *Facility* and measures to address odour complaints resulting from the operation of the *Facility*;
 - vi. procedures to maintain the moisture and oxygen content of the *Biocells*;
 - vii. procedures to prevent and/or minimize noise and fugitive dust emissions from all potential sources;
 - viii. contingency measures to address upset conditions; and
 - ix. procedures to record and respond to environmental complaints;
 - b. implement the recommendations of the *Manual*.
2. The *Company* shall ensure that total quantity of *Contaminated Soil*, *Processed Soil*, and *Residual Waste* stored at the *Facility*, at any one time, does not exceed 100,000 tonnes.
3. The *Company* shall, upon receiving *Contaminated Soil* at the *Facility* with contaminant concentrations which exceed the contaminant concentration

threshold listed in *Schedule "B"*, as measured at the *Source Site*, immediately apply an initial dose of *Biostimulation Compound* and/or *Bioaugmentation Compound* to such *Contaminated Soil* and immediately place it within a covered *Biocell* with an impermeable covering until the *Contaminated Soil* achieves the contaminant concentrations listed in *Schedule "B"*.

4. The *Company* shall ensure that the locations of the *Biocells* at the *Facility* are configured in accordance with the *ESDM Report*.
5. The *Company* shall maintain a minimum separation distance of 70 metres between the *Screening Equipment* and the closest property boundary of the *Facility*.
6. The *Company* shall ensure that no soil handling activities, including *Biocell* construction or deconstruction, screening, transfer to storage locations or into vehicles, are carried out during windy conditions that could result in adverse off-site airborne impacts.

2. ODOUR CONTROL

1. The *Company* shall operate the *Facility* in a manner that minimizes odour emissions, and in accordance with the odour control procedures described in the *Best Management Practices Plan*.

3. FUGITIVE DUST CONTROL

1. The *Company* shall,
 - a. within thirty (30) days after the date of this *Approval*, implement the *Best Management Practices Plan* for the control of fugitive dust emissions resulting from the operation of the *Facility*;
 - b. review and update the *Best Management Practices Plan* annually or at the direction of the *District Manager*;
 - c. record the result of each review, and update the *Best Management Practices Plan* accordingly within thirty (30) days of the completion of the review;
 - d. maintain the updated *Best Management Practices Plan* at the *Facility* and provide a copy to the *District Manager* within forty-five (45) days of the update; and
 - e. implement, at all times, the most recent version of the *Best Management Practices Plan*.
2. The *Company* shall record, either electronically or in a log book, each time a specific preventative and control measure described in the *Best Management Practices Plan* is implemented. The *Company* shall record, as a minimum:

- a. the date when each emission control measure is installed, including a description of the control measure;
- b. the date when each new preventative measure or operating procedure to minimize emissions is implemented, including a description of the preventative measure or operating procedure; and
- c. the date, time of commencement, and time of completion of each periodic activity conducted to minimize emissions, including a description of the preventative measure/procedure and the name of the individual performing the periodic activity.

4. RECORD RETENTION

1. The *Company* shall retain, for a minimum of seven (7) years from the date of their creation, all records and information related to or resulting from the recording activities required by this *Approval*, and make these records available for review by staff of the *Ministry* upon request. The *Company* shall retain:
 - a. all records on the operation, maintenance, repair and inspection of the *Process and associated Equipment*;
 - b. all records on the operation of the *Process*, including the quantity of *Contaminated Soil* received at the site, the concentration of the contaminants listed in *Schedule "B"* as measured in the *Contaminated Soil* at the *Source Site*, the quantity of *Contaminated Soil* in each *Biocell*, and the total quantity of *Soils* at the *Facility*;
 - c. the log book which contains all records on the preventative and control measures implemented for each source of fugitive dust and odour emission identified in the *Best Management Practices Plan*; and
 - d. all records of any environmental complaints, including:
 - i. a description, time and date of each incident to which the complaint relates;
 - ii. wind direction at the time of the incident to which the complaint relates;
 - iii. the cause of the incident; and
 - iv. a description of the measures taken to address the cause of the incident to which the complaint relates and to prevent a similar occurrence in the future.

5. NOTIFICATION OF COMPLAINTS

1. The *Company* shall notify the *District Manager* and the *PLC*, in writing, of

each environmental complaint within two (2) business days of the complaint. The notification shall include:

- a. this *Approval* number;
- b. a description of the nature of the complaint;
- c. the time and date of the incident to which the complaint relates;
- d. the wind direction at the time of the incident to which the complaint relates; and
- e. a description of the measures taken to address the cause of the incident to which the complaint relates and to prevent a similar occurrence in the future.

6. NOISE

1. The *Company* shall, at all times, ensure that the noise emissions from the *Facility* comply with the limits set out in *Ministry Publication NPC-300*.
2. The *Company* shall restrict the screening of soil, and the construction or deconstruction of *Biocell* to the daytime hours of 7:00 a.m. and 7:00 p.m.

7. PUBLIC LIAISON COMMITTEE

8.
 1. The *Company* shall use its best efforts to establish and maintain a *PLC* for the *Facility*. The *PLC* shall serve as a forum for the dissemination, consultation, review and exchange of information relevant to the operation of the *Facility*, including process operations, maintenance, complaints resolution and any subsequent applications for approval under the *EPA*.
 2. The *Company* shall,
 3.
 - a. in consultation with the *PLC*, develop a Terms of Reference for the *PLC* that will describe how the *PLC* will operate and carry out its functions. The Terms of Reference shall include a dispute resolution strategy to resolve issues and disagreements between the *PLC* and the *Company*. Any changes to the Terms of Reference for the *PLC* shall be made by the *PLC*;
 - b. in consultation with the *PLC*, determine the appropriate meeting frequency and review it on an annual basis;
 - c. allow the *PLC* reasonable access to the *Facility* and *Company's* consultants' reports relating to the operation of the *Facility* for the purpose of carrying out its objective and mandate;
 - d. invite representation from the following groups to participate in the *PLC*:
 - i. City of Toronto;

- ii. Toronto District Office of the *Ministry*; and
- iii. home/business owners within 1,000 metres of the Facility;

4. The *Company*, with approval from the *Director* and *District Manager*, may dispense with the *PLC* if, after a period of time and after giving sufficient notice, there is no interest from the public in continuing with the *PLC*. The need for a *PLC* shall be reviewed by the *Company* on a yearly basis.

SCHEDULE "A"

Biocell Parameters

Biocell	Maximum Volume of Soil (tonnes)	Length (metres)	Width (metres)	Height (Metres)
1	55,000	190	45	12
2	15,000	10	20	12
3	10,000	15	10	4
4	20,000	20	60	8

SCHEDULE "B"

Contaminant Concentrations Threshold

Contaminant	Chemical Abstract Service Number	Concentration (parts per million by weight)
Benzene	71-43-2	0.208
Hexane	110-54-3	75.4
Toluene	108-88-3	31.2
Ethylbenzene	100-41-4	9.1
Xylene	1330-20-7	42.9
1,2,4-trimethylbenzene	95-63-6	25

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

1. Condition Nos. 1, 2 and 3 are included to emphasize that the *Equipment* must be maintained and operated according to a procedure that will result in compliance with the *EPA*, the *Regulations* and this *Approval*.

2. Condition No. 4 is included to require the *Company* to keep records and to provide information to staff of the *Ministry* so that compliance with the *EPA*, the Regulations and this *Approval* can be verified.
3. Condition No. 5 is included to require the *Company* to notify staff of the *Ministry* so as to assist the *Ministry* with the review of the site's compliance.
4. Condition No. 6 is included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the *Facility*.
5. Condition No. 7 is included to require the *Company* to properly address environmental issues that may arise from the operation of the *Facility* and to minimize the impact on the environment.

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 9610-84YLE3 issued on June 18, 2010

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, S.O. 1993, c. 28 (Environmental Bill of Rights), 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:

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

Pursuant to subsection 139(3) of the Environmental Protection Act, a hearing may not be required with respect to any terms and conditions in this environmental compliance approval, if the terms and conditions are substantially the same as those contained in an approval that is amended or revoked by this environmental compliance approval.

The Notice should also include:

1. The name of the appellant;
2. The address of the appellant;
3. The environmental compliance approval number;
4. The date of the environmental compliance approval;
5. The name of the Director, and;
6. The municipality or municipalities within which the project is to be engaged in.

And the Notice should be signed and dated by the appellant.

This Notice must be served upon:

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

AND The Environmental
Commissioner
1075 Bay Street, Suite 605
Toronto, Ontario
M5S 2B1

AND The Director appointed for the purposes of
Part II.1 of the Environmental Protection Act
Ministry of the Environment and Climate
Change
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 21st day of August,
2019

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

BR/
c: District Manager, MOECC Toronto - District
Lucas Neil, Airzone One Ltd.