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Ministry of the Environment, Conservation and Parks
Ministère de l'Environnement, de la Protection de la nature et des Parcs

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 3185-BE8NEM

Issue Date: October 10, 2019

Brendar Environmental Inc.
1220 Rockwood Dr
Kingston, Ontario
K7P 2L1

Site Location: Lot 4, Part of Lot 34

Lot 4, Part of Lot 34, Concession N/A
Loyalist Township, County of Lennox and Addington
K0H 1G0

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 waste disposal site

to be used for the transfer and processing of the following types of waste:

municipal waste and subject waste, limited as per the Conditions of this Approval

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:

"Act" and **"EPA"** mean the Environmental Protection Act, R.S.O. 1990, c. E.19;

"Approval" means this entire provisional Environmental Compliance Approval document, issued in accordance with Part II.1 of the EPA, and includes any schedules to it, the application and the supporting documentation listed in Schedule "A", as amended from time to time;

"competent" means an employee who has received training in accordance with Condition 19 and is qualified because of knowledge, training and experience, to organize the work and its performance;

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

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

“ **Ministry** ” and “ **MECP** ” 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;

“ **Ontario Regulation 393/04** ” means Ontario Regulation 393/04 Waste Electrical and Electronic Equipment made under the Waste Diversion Act 2002;

“ **Operator** ” means any person, other than the Owner's employees, authorized by the Owner as having the charge, management or control of any aspect of the Site;

“ **Owner** ” means any person that is responsible for the establishment or operation of the site being approved by this Approval, and includes Brendar Environmental Inc. , its successors and assigns;

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

“ **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 Act or section 17 of PA;

“ **processed waste** ” means waste that has gone through the processing operation and is destined for an end user;

“ **Regulation 347** ” means Ontario Regulation 347, R.R.O. 1990, General - Waste Management, made under the Act, as amended from time to time;

“ **residual waste** ” means waste that is destined for final disposal;

“ **Site** ” means the entire waste disposal site located at Lot 4, Part of Lot 34, Loyalist Township, County of Lennox and Addington, K0H 1G0 described in this Approval;

“ **small ICI generator** ” means an Industrial, Commercial and Institutional (ICI) business that generates hazardous waste in an amount less than that set out in paragraphs (p) through (u) of the definition of "hazardous waste" in Ontario Regulation 347, or liquid industrial waste in an amount less than that set out in paragraph (d) of the definition of "liquid industrial waste" in Ontario Regulation 347, and does not include retail motor vehicle service stations or service facilities or other waste generators who have similar service agreements which exempt them from Section 18(1) of Ontario Regulation 347.

“ **unprocessed waste** ” means wastes received at the Site which has not fully completed the Owner's processing operation; and

“ **waste electrical and electronic equipment** ” means devices listed in Schedules 1 through 7 of Ontario Regulation 393/04 and other similar electronics.

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 Compliance

1.1 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.

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

2.0 Build In Accordance and Expiry

2.1 Except as otherwise provided for in this Approval, the Site shall be designed, developed, built, operated and maintained in accordance with the application for this Approval, dated January 10, 2019, and the supporting documentation listed in Schedule "A".

2.2 (1) Construction and installation of the Site must be completed within 5 years of the later of:

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

(2) This Approval ceases to apply in respect of any portion of the Site not constructed or installed before the later of the dates identified in condition 2.2(1) above.

3.0 Interpretation

3.1 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.

3.2 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.

3.3 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.

3.4 The conditions of this Approval are severable. If any condition of this Approval, or the application of any condition of this Approval to any circumstance, is held invalid or unenforceable, the application of such condition to other circumstances and the remainder of this Approval shall not be affected thereby.

4.0 Other Legal Obligations

4.1 The issuance of, and compliance with, 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 and Operator to furnish any further information related to compliance with this Approval.

4.2 All wastes at the Site shall be managed and disposed of in accordance with the Act and Regulation 347.

4.3 The Owner shall obtain any and all approvals required under Section 9 of the Act and Section 53 of the OWRA prior to operation of the Site.

5.0 Adverse Effect

5.1 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.

5.2 Despite an Owner, Operator 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 to the natural environment or impairment of water quality.

6.0 Change of Owner

6.1 The Owner shall notify the Director, in writing, and forward a copy of the notification to the District Manager, within 30 days of the occurrence of any changes in the following information:

- (a) the ownership of the Site;
- (b) appointment of, or a change in, the Operator of the Site;
- (c) the name or 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, shall be included in the notification.

6.2 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 and sufficient financial assurance is deposited with the Ministry to ensure that these conditions will be carried out.

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

7.0 Financial Assurance

7.1 Within thirty (30) days of issuance of this notice the Owner shall submit to the Director, financial assurance, as defined in Section 131 of the Act, in the amount of \$49,605.90. This financial assurance shall be in a form acceptable to the Director and shall provide sufficient funds for the clean-up of the Site, the analysis, transport and disposal of all quantities of waste permitted on the Site at any one time, Site closure and post-closure care of the Site.

7.2 Commencing on March 31, 2022 and at intervals of three (3) years thereafter, the Owner shall submit to the Director, a re-evaluation of the amount of financial assurance to implement the actions required under Condition 7.1. The re-evaluation shall include an assessment based on any new information relating to the environmental conditions of the Site and shall include the costs of additional monitoring and/or implementation of contingency plans required by the Director upon review of the closure plan and annual reports.

7.3 The amount of financial assurance is subject to review at any time by the Director and may be amended at his/her discretion.

7.4 If any financial assurance is scheduled to expire or notice is received, indicating financial assurance will not be renewed, and satisfactory methods have not been made to replace the financial assurance at least sixty (60) days before the financial assurance terminates, the financial assurance shall forthwith be replaced by cash.

8.0 Inspections

8.1 No person shall hinder or obstruct a Provincial Officer from carrying out any and all inspections authorized by the OWRA, the Act, or the PA, of any place to which this Approval 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 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; and
- (e) to sample and monitor for the purposes of assessing compliance with the terms and conditions of this Approval or the Act, the OWRA or the PA.

9.0 Information and Record Retention

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

9.2 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.

9.3 Any information relating to this Approval 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.

9.4 All records and monitoring data required by the conditions of this Approval must be kept on the Owner's premises for a minimum period of three (3) years from the date of their creation.

10.0 Approved Waste Types and Processes

10.1 The Site is approved to accept the following types of wastes from residential, institutional, commercial and industrial sources within the Provinces of Ontario, Quebec and Manitoba:

(a) solid non-hazardous waste, limited to:

- i. waste electronic and electrical equipment
- ii. oil filters;
- iii. material recovered from maintenance and spill response activities including

- absorbents and rags, packaging and consumer goods;
- iv. materials received for the purposes of carrying out waste audits where the amount received per facility does not exceed 1 tonne;
- v. tires;
- vi. contaminated soils; and
- vii. recyclable plastics and metals;

(b) liquid industrial and hazardous wastes, limited to:

- i. Waste Class Nos. 111, 112, 113, 114, 121, 122, 123, 131, 132, 133, 134, 135, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 211, 212, 213, 221, 222, 231, 232, 233, 241, 242, 251, 252, 253, 254, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 281, 282, 312 (sharps waste only), 331;
- ii. batteries;
- iii. fluorescent tubes;
- iv. paint.

10.2 This Site is approved to receive wastes listed in Condition 10.1(b) from the sources noted below:

- (a) received directly from residential sources;
- (b) received indirectly [e.g. from mobile Household Hazardous Waste (HHW) Day events] from residential sources which are transported to the Site by an approved carrier;
- (c) received directly from small ICI generators, who have entered into a service agreement with the Owner; and
- (d) received from small ICI generators or other ICI sources which are transported to the Site by an approved carrier.

10.3 The Site is approved for the following waste management activities, as described in Schedule "A":

- (a) the receipt, storage and transfer of waste;
- (b) the disassembly and reassembly of lab packs;
- (c) the bulking of subject wastes, subject to the following restrictions:

- i. wastes that have different Waste Class Nos. shall not be bulked together;
- ii. incompatible wastes that have the same Waste Class No. shall not be bulked together; and
- iii. bulking shall not be carried out if the bulking of wastes would result in the evolution of gas, the formation of a solid precipitate or any other indicators of chemical change.

- (d) the blending of subject wastes, subject to the following restrictions:
 - i. the wastes to be blended are similar in nature, are compatible based on the results of bench-scale testing, and the mixing of those wastes would not result in the evolution of a hazardous gas, excessive heat or any other hazard;
 - ii. any fuel blends produced meet a published specification or a specification provided by the end-user in writing; and
 - iii. for any blends produced for downstream treatment, other than fuel blends or blends consisting of Waste Class Nos. 251, 252, 253 or 254 (or wastes accepted in lab packs that would otherwise be classified as Waste Class Nos. 251, 252, 254 or 254), the Owner receives written confirmation from the downstream waste processor that the blend is acceptable for treatment;
- (e) the crushing of paint cans;
- (f) the puncturing and/or crushing of aerosol cans;
- (g) the shredding, chipping, crushing of empty containers;
- (h) the solidification of subject wastes using commercially available absorbents, provided the solidification is carried out in accordance with a waste analysis plan for the Site.

10.4 No later than 30 days from the date of issuance of this Approval, the Owner shall prepare a waste analysis plan for the Site in accordance with Section 85 of Regulation 347 and Section 7.0 of the Ministry's "Land Disposal Restrictions (LDR) Handbook".

10.5 Soil received at the Site shall not be transferred to a receiving site for reuse at that site, but may be transferred to a site approved to receive the soil for disposal or for testing/processing prior to reuse.

10.6 Prior to being accepted at the Site, all incoming waste shall be inspected by a competent employee and shall only be permitted to enter the Site if the Site is approved to accept that type of waste.

10.7 In the event that unacceptable waste is received at the Site, the Owner shall:

- (a) refuse receipt of the unacceptable waste and return the waste to the generator if safe to do so; or
- (b) if return of the waste is not feasible, the Owner shall isolate the unacceptable waste and remove it from the Site for disposal in accordance with Regulation 347 within thirty (30) business days of any required testing and analysis results becoming

available, or within ten (10) business days of identification if no testing or analysis is required;

- (c) review the incident and take appropriate steps to prevent future receipt of unacceptable waste; and
- (d) notify the District Manager, in writing, of the incident and the resolution within ten (10) business days of the incident.

11.0 Waste Quantity and Storage

11.1 The Owner shall ensure that:

- (a) the total amount of waste accepted daily at the Site does not exceed 92 tonnes per day;
- (b) the total amount of waste including unprocessed waste, processed waste and residual waste stored on Site does not exceed 92 tonnes at any one time;
- (c) waste is not stored on-site longer than 6 months.

11.2 In the event that waste cannot be removed from the Site and the total storage capacity as approved in Condition 11.1 is reached, the Owner shall cease accepting waste until sufficient additional capacity has been created to allow normal operations to resume.

- 11.3 (a) All waste shall be stored within the confines of the building, other than:
- i. compressed gas cylinders which shall be stored outdoors in a secure cage; and
 - ii. waste that is stored outdoors in up to 4 covered trailers awaiting while awaiting receipt at or shipment from the Site;
- (b) All waste, including unprocessed waste, processed waste and residual waste, shall be stored in suitable containers which facilitate safe storage and transfer;
 - (c) All subject wastes shall be stored in accordance with the Ministry guideline entitled "Guidelines for environmental protection measures at chemical and waste storage sites", and shall be stored in areas that have sufficient secondary containment and are segregated according to waste compatibility;
 - (d) Batteries shall be sorted based on chemistry, and stored separately and in a manner that prevents contact between battery terminals wherever practical;
 - (e) All sharps waste shall be handled in accordance with the Ministry guideline entitled

"Guideline C-4: The Management of Biomedical Waste in Ontario".

11.4 (1) Waste paints or waste coatings received at the Site and that are destined for a site at which the waste is to be used in an ongoing manufacturing process for the production of paints or coatings, if the process does not involve the combustion of the waste and the paints or coatings that are produced are not used as fuel, are exempt from Part V of the EPA in accordance with Section 3(2)8 of Regulation 347.

(2) Notwithstanding Condition 11.4(1) above, the Owner shall ensure that all such waste paints or coatings are managed at this Site in a manner that does not result in a nuisance, an adverse effect or a hazard to human health or the environment, and that the storage of all such waste paints or coatings is carried out in accordance with any restrictions as described in applicable building permits or as imposed by the local fire service authority.

12.0 Small ICI Generators

12.1 (1) The Owner shall only accept subject waste from small ICI generators in accordance with the following:

(a) the Owner shall only receive subject waste from waste generators that have entered into an agreement with the Owner;

(b) no waste shall be received from waste generators where the generator's activities include waste management;

(c) the Owner may only receive up to 60 kg of hazardous waste per year per waste generator, not including any exempt waste noted in Condition 11.4 above;

(d) the Owner may only receive up to 300 litres of liquid industrial waste per year per waste generator, not including any exempt waste noted in Condition 11.4 above;

(e) the Owner shall not receive subject waste from single waste generator more than 4 times per year;

(f) no hazardous waste shall be received in containers greater than 25 litres in size;

(g) no liquid industrial waste shall be received in containers greater than 25 litres in size;

(i) all containers shall be closed, secured and maintained so that under normal conditions of transport, including handling, there will be no accidental release of waste; and

(k) no broken or leaking containers, or containers otherwise unsuitable for the type of waste they contain, shall be accepted at the Site unless those containers have been repackaged and/or over packed using suitable containers available at the Site prior to acceptance.

(2) Small ICI generators who have entered into an agreement with the Owner as noted in Condition 12(1)(a) above shall not require further approval under Part V of the Act to transport waste identified in the agreement to this Site, and shall be exempt from the requirements of Section 16 of Regulation 347, subject to the following conditions:

(a) each waste generator transports its wastes to the Site using its own vehicle(s); and

(b) each waste generator has a copy of the agreement entered into with the Owner in the vehicle at the time of waste transport.

(3) For waste generators who have entered into an agreement with the Owner as noted

in Condition 12(1)(a), Sections 18-23 of Regulation 347 do not apply for waste identified in the agreement. Waste that is not part of the agreement continues to be subject to the requirements of Regulation 347.

13.0 Hours of Operation

13.1 The Site is approved to operate 24 hours per day, 7 days per week.

14.0 Signage and Security

14.1 The Site shall be maintained in a secure manner, so that unauthorized persons cannot enter the Site.

14.2 No waste shall be received at the Site except when the Site is under the supervision of a competent person.

14.3 A sign shall be posted in a prominent location at the Site entrance clearly stating:

- (a) the Owner's name;
- (b) the Approval number;
- (c) the hours of operation for receipt of waste; and
- (d) a 24 hour telephone number to call to reach the Owner in the event of an emergency or complaint.

15.0 Nuisance Control

15.1 The Owner shall operate and maintain the Site in a manner which ensures the health and safety of all persons and the protection of the environment through active prevention of any possible environmental adverse effects, including but not be limited to odours, dust, litter, vectors, vermin, rodents and noise.

15.2 If at any time problems such as odours, dust, litter, noise, vectors, vermin, rodents or other nuisances are generated at the Site, the Owner shall take appropriate, immediate remedial action to eliminate the problem.

16.0 Stormwater Management

16.1 The Site shall be graded and/or constructed and maintained in good order such that surface water runoff is diverted away from the Site, and the Site remains free of any accumulation of water from rain and snow at all times.

16.2 The Owner shall manage all direct discharges from this Site including stormwater run-off in accordance with appropriate Municipal, Provincial and or Federal Legislation, Regulations and By-laws.

16.3 The Owner shall ensure that waste does not come into contact with precipitation, other than compressed gas cylinders stored outdoors in a secure cage.

17.0 Site Inspections and Preventative Maintenance

17.1 On each operating day, the Owner shall ensure that a visual inspection of the facility and equipment is carried out by a competent person. The inspection shall ensure that all equipment and facilities are in good working order and operated in a manner that will not negatively impact the environment, that waste storage, unloading and loading areas are orderly, and that security features are in good working order.

17.2 On a quarterly basis as a minimum, the Owner shall inspect spill clean-up and emergency response equipment to ensure that it is maintained in good working order.

17.3 Any deficiencies noted during the inspections required by Conditions 17.1 or 17.2 shall be promptly corrected.

17.4 The Owner shall develop and implement a preventative maintenance program, in accordance with manufacturer's recommendations, for all on-site equipment associated with the processing and managing of waste. The preventative maintenance program shall be available on Site for inspection by a Provincial Officer upon request.

18.0 Spills and Emergency Response and Reporting

18.1 The Owner shall promptly take all necessary steps to contain and clean up any spills or upsets which result from this operation.

18.2 All spills, as defined in the Act, shall be immediately reported to the Ministry's Spill Action Centre at 1-800-268-6060 and shall be recorded in a written log or an electronic file format, as to the nature of the spill or upset, and action taken for clean-up, correction and prevention of future occurrences.

18.3 The Owner shall have in place an emergency response plan for the Site. The Plan shall include, but is not limited to:

- (a) emergency response procedures to be undertaken in the event of a spill, process upset, fire, explosion or other incident;
- (b) a list of contingency equipment (e.g. fire suppression equipment, spill clean up kits, etc.) available in the event of a spill, process upset, fire, explosion or other incident;
- (c) a list of names and telephone numbers of resources available for emergency response; and
- (d) a notification protocol with names and telephone numbers of persons to be contacted, including company personnel, the Ministry's Spills Action Centre and District Office, the local Municipality and Fire Department and local medical resources.

18.4 A copy of the emergency response plan shall be kept in a prominent, central

location available to all staff at all times.

18.5 The Owner shall ensure that:

- (a) the equipment and materials outlined in the emergency response plan are in a good state of repair, fully operational and immediately available; and
- (b) all staff are fully trained in the equipment and materials' use and in the procedures to be employed in the event of an emergency.

18.6 The Owner shall review the emergency response plan on an annual basis and ensure that, as a minimum, the contact names and numbers required by Condition 18.3(c) are up-to-date.

18.7 The Owner shall have in place a written contingency plan which specifies, as a minimum, the procedures to be followed in the event of a labour disruption, transportation disruption, inability of receiving sites to accept waste or other business disruption to the operation.

19.0 Training

19.1 (a) The Owner shall ensure that Site personnel are trained, and receive annual refresher training, on the operation and management of the Site, or area(s) within the Site, in accordance with the specific job requirements of each individual, including but not limited to:

- (i) an outline of the responsibilities of the Site personnel;
- (ii) personnel training protocols;
- (iii) any environmental concerns pertaining to the wastes accepted at the Site;
- (iv) occupational health and safety concerns pertaining to the wastes received;
- (v) proper receiving and recording procedures (including recording procedures of wastes which are refused at the Site);
- (vi) proper storage, handling, sorting and shipping procedures;
- (vii) operation of equipment and procedures to be followed in the event of a process upset or an emergency situation,
- (viii) information recording procedures;

- (ix) inspection procedures; and
- (x) procedures for recording and responding to public complaints.

(b) the Owner shall ensure that Site personnel who oversee operations at the Site are trained, and receive annual refresher training in:

- (i) relevant waste management legislation, including but not limited to Ontario Regulation 347;
- (ii) terms, conditions and operating requirements of this Approval.

20.0 Complaints

20.1 If at any time the Owner receives complaints of negative environmental impacts due to the operation of the Site, the Owner shall respond to these complaints according to the following procedure:

- (a) the Owner shall record each complaint on a formal complaint form entered in a sequentially numbered log book or an electronic file; and
- (b) the Owner shall initiate appropriate steps to determine 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 notify the District Manager, in writing, of the complaint and the actions taken / resolution within seven (7) business days of the complaint occurring.

21.0 Record Keeping

21.1 The Owner shall maintain, in written or electronic format, daily records which shall include the following information:

- (a) date of record;
- (b) types, quantities and source of waste received that day;
- (c) quantities and destination of processed waste and residual

- waste shipped from the Site that day;
- (d) quantities of waste stored on Site at the end of each operating day;
- (f) any spills or upsets which occurred that day.

21.2 The Owner shall keep a record of the inspections required by Conditions 17.1 and 17.2 on Site, available for review by a Provincial Officer upon request, which includes as a minimum:

- (a) name and signature of trained personnel conducting the inspection;
- (b) date and time of the inspection;
- (c) list of equipment inspected and all deficiencies observed;

21.3 The Owner shall maintain a written record of the preventative maintenance performed in accordance with Condition 17.4, which includes, but is not limited to, the following:

- (a) name and signature of the person conducting the maintenance work;
- (b) a detailed description of the maintenance activity performed;
and
- (c) date and time of maintenance activity.

21.4 The Owner shall maintain at the Site a written record of employee training which includes:

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

21.5 The Owner shall maintain at the Site a written record of the review and update of the emergency response plan noted in Condition 18.6 which includes:

- (a) date of review of the plan;

- (b) name and signature of person who reviewed the plan; and
- (c) a summary of the changes made.

22.0 Annual Report

22.1 By March 31st of each year, the Owner shall prepare and submit to the District Manager an annual report covering the previous calendar year. Each report shall include, as a minimum, the following information:

- (a) a detailed monthly summary of the type and quantity of wastes received and processed at the Site, and a detailed monthly summary of the type and quantity of waste transferred from the Site including the destination of the waste and any reconciliations on mass balance made;

- (b) a detailed monthly summary of the type and quantity of wastes received from small ICI generators, including the name of the generator, confirmation that the generator has entered into an agreement with the Owner and a running total of the amount of waste received from the generator;

- (c) a summary of complaints received and actions taken in response;

- (d) any changes to the emergency response plan, the Design and Operations Report and the closure plan that have been approved by the Director since the last annual report;

- (e) any environmental and operation problems that could negatively impact the environment, encountered during the operation of the Site and during the facility inspections, and any mitigative actions taken;

- (f) a statement as to compliance with all Conditions of this Approval and with the inspection and reporting requirements of the Conditions herein; and

- (g) any recommendations to minimize environmental impacts from the operation of the Site and to improve Site operations and monitoring programs in this regard.

23.0 Closure Plan

23.1 (a) Six (6) months prior to the permanent closure of the Site, the Owner shall submit to the District Manager, written notification of the decision to cease activities at this Site. The written notification shall also include a closure plan detailing a list of activities, and schedule for the implementation of those activities, necessary for the decommissioning of the Site; and

(b) Within ten (10) business days after closure of the Site, the Owner must notify the Director and District Manager, in writing, that the Site is closed and that the Site closure plan has been implemented.

SCHEDULE "A"

The following Schedule "A" forms part of this Approval

1. Environmental Compliance Approval dated January 10, 2019, signed by Brent Bolger, Brendar Environmental Inc., including all supporting documentation.
2. Email dated June 20, 2019 from Torin Macpherson, Brendar Environmental Inc., to Andrew Neill, P.Eng., MECP, with additional information on processing at the Site.

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

The reason for Conditions 1.1, 1.2, 4.1, 4.2, 4.3, 5.1, 5.2, 9.2 and 9.3 is to clarify the legal rights and responsibilities of the Owner under this Approval.

The reasons for Conditions 2.1, 2.2 and 22.1 is to ensure that the Site is designed, operated, 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.

The reason for Conditions 3.1, 3.2, 3.3 and 3.4 is to clarify how to interpret this Approval in relation to the application and supporting documentation submitted by the Owner.

The reason for Condition 6.1 is to ensure that the Site is operated under the corporate name which appears on the application form submitted for this approval.

The reason for Condition 6.2 is to restrict potential transfer or encumbrance of the Site without the approval of the Director. Any transfer of encumbrance can be made only on the basis that it will not endanger compliance with this Approval.

The reason for Condition 6.3 is to ensure that subsequent owners of the Site are informed of the terms and conditions of this Approval. This also applies to all supporting documentation listed in Schedule "A".

The reason for Conditions 7.1, 7.2, 7.3, 7.4 and 7.5 is to ensure that sufficient funds are available to the Ministry to clean up the Site in the event that the Owner is unable or unwilling to do so.

The reason for Condition 8.1 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 Approval. This condition is supplementary to the powers of entry afforded a Provincial Officer pursuant to the Act and OWRA.

The reason for Conditions 9.1 and 9.4 is to ensure the availability of records and

drawings for inspection and information purposes.

The reasons for Conditions 10.1 and 10.2 are to specify the approved areas from which waste may be accepted, the sources that waste may be accepted from, and the types of waste that may be accepted at the Site, based on the Owner's application and supporting documentation.

The reason for Condition 10.3 is to specify the waste management activities that the Site is approved for in accordance with the Owner's application and supporting documentation.

The reason for Condition 10.4 is to ensure that hazardous wastes destined for land disposal are managed in accordance with the Land Disposal Restrictions set out in the legislation.

The reason for Condition 10.5 is to prevent untested and/or untreated soils from being deposited directly at receiving sites for reuse.

The reason for Condition 10.6 and 10.7 is to ensure that only waste approved under this Approval are received at the Site.

The reason for Conditions 11.1 and 11.2 is to ensure that the quantities of waste received at the Site are in accordance with that approved under this Approval.

The reason for Condition 11.3 is to ensure that waste storage is done in a manner and duration which does not result in a nuisance or a hazard to the health and safety of the environment or people.

The reason for Condition 11.4 is to recognize exempt waste brought to the site.

The reason for Condition 12.1 is to set out the rules for receipt of waste from small ICI generators, and to provide for the safe handling of wastes generated by this sector.

The reason for Condition 12.2 is to specify the requirements that must be met in order to conduct research and development activities without need to amend this Approval.

The reason for Condition 12.3 is to clarify that this Approval does not exempt any activities or equipment from other types of approvals should they be required.

The reason for Condition 12.4 is to clarify that the maximum capacities approved in Condition 11.1 must be met while conducting research and development activities.

The reason for Condition 12.5 is to place limits on the research and development activities to ensure that they remain a pilot project.

The reason for Condition 12.6 is to clarify the end uses for waste processed in the pilot scale test.

The reason for Condition 12.7 is to ensure that the Owner provides the Ministry with sufficient information on pilot scale tests undertaken at this Site.

The reason for Condition 12.8 is to clarify that longer term use of recycling technology is not considered a pilot scale test and requires an amendment to this Approval.

The reason for Conditions 13.1 is to specify the hours of operation for the Site in accordance with the Owner's application and supporting documentation.

The reason for Condition 14.1 is to ensure that the Site is secure when unattended to prevent vandalism or theft.

The reason for Condition 14.2 is to ensure the Site is only operated in the presence of trained personnel and to ensure proper management of waste.

The reason for Condition 14.3 is to ensure that emergency responders and the public have the necessary contact information in the event of an emergency or complaint.

The reason for Conditions 15.1, 15.2, 16.1, 16.2 and 16.3 is to ensure that the site is operated in a manner which does not result in a nuisance or a hazard to the health and safety of the environment or people.

The reason for Condition 17.1, 17.2, 17.3 and 17.4 is to ensure that all equipment and facilities are maintained in good working order.

The reason for Condition 18.1 is to ensure that the Owner immediately responds to a spill.

The reason for Condition 18.2 is to ensure that the Owner notifies the Ministry forthwith of any spills as required in Part X of the Act so that appropriate spills response can be determined.

The reason for Conditions 18.3, 18.4, 18.5 and 18.6 is to ensure that the Owner is prepared and properly equipped to take action in the event of a spill, fire or other operation upset.

The reason for Condition 18.7 is to ensure that the Owner follows a plan with an organized set of procedures for identifying and responding to unexpected but possible problems at the Site.

The reason for Conditions 19.1 is to ensure that the Owner's staff are properly trained in the operation of the equipment used at the Site and emergency response procedures.

The reason for Condition 20.1 is to ensure that complaints are properly and quickly resolved and that complaints and follow-up actions have been documented.

The reason for Conditions 21.1, 21.2, 21.3, 21.4 and 21.5 is to ensure that accurate records are maintained to demonstrate compliance with the conditions in this Approval, the Act and its regulations.

The reason for Condition 23.1 is to ensure that the Site is closed in accordance with Ministry standards and to protect the health and safety of the environment.

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
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*** 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 <https://ero.ontario.ca/>, you can determine when the leave to appeal period ends.

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

DATED AT TORONTO this 10th day of
October, 2019

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

AN/
c: District Manager, MECP Kingston - District
Torin Macpherson, Brendar Environmental Inc.