

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 9069-BENRYG

Issue Date: October 11, 2019

Ben-Met Steel & Metal Inc.
415 Elizabeth St
Guelph, Ontario
N1E 2Y2

Site Location: Benmet Steel & Metal
415 Elizabeth Street
Guelph City, County of Wellington
N1E 2Y2

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 2.5 hectares Waste Disposal Site (Transfer/Processing)

to be used for the transfer and processing of:

end-of-life vehicles

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:

"Approval" or **"ECA"** means this entire Environmental Compliance Approval document, issued in accordance with the EPA, and includes any schedules to it, the application and the supporting documentation listed in Schedule "A";

"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 V of the EPA;

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

"end-of-life vehicle" has the same meaning as in O. Reg. 85/16 under the EPA;

"EPA" means the Environmental Protection Act, R.S.O. 1990, C.E-19, as amended;

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

"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, and includes its successors or assigns;

"Owner" means means any person that is responsible for the establishment or operation of the Site being approved by this Approval, and includes Ben-Met Steel & Metal Inc., its successors and assigns;

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

"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 EPA or section 17 of the PA;

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

"Site" means the entire 2.5 hectare of property located at 415 Elizabeth Street, Guelph City, County of Wellington, N1E 2Y2;

"Trained Personnel" means competent personnel that have been trained through instruction and/or practice in accordance with section 23.0 of this Approval; and

"Vehicle De-pollution Building" means the 35 square metres Quonset hut, enclosed on 3 sides where vehicle components' removal and storage of waste takes place.

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 and Operator 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.

1.3 The Site shall be operated and maintained at all times including management and disposal of all waste in accordance with the EPA, Reg. 347 and the conditions of this Approval. At no time shall the discharge of a contaminant that causes or is likely to cause an adverse effect be permitted.

2.0 Design, Develop, Build, Operate, Modify and Maintain in Accordance

2.1 Except as otherwise provided for in this Approval, the Site shall be designed, developed, built, operated, modified and maintained in accordance with the application for this Approval, dated March 27, 2019, the Design and Operations Report as updated from time to time, and the other supporting documentation listed in Schedule "A".

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 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.

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 including, but not limited to:
 - (i) obtaining site plan approval from the local municipal authority;
 - (ii) obtaining all necessary building permits from the local municipal authority Building Services Division;
 - (iii) obtaining approval from the Chief Fire Prevention Officer, or local municipal authority.
- (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.

5.0 Adverse Effect

- 5.1 The Owner and Operator 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 Owner, Operator or any other 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 thirty (30) days of the occurrence of any changes to:
- (a) the ownership of the Site;
 - (b) the Operator of the Site;
 - (c) the address of the Owner or Operator;
 - (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; and
 - (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 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. 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.

7.0 Inspections

- 7.1 No person shall hinder or obstruct a Provincial Officer from carrying out any and all inspections authorized by the OWRA, the EPA, 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 activities 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 EPA, the OWRA or the PA.

8.0 Information and Record Retention

- 8.1 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.
- 8.2 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.
- 8.3 All records required by the conditions of this Approval must be retained on Site for a minimum period of two (2) years from the date of their creation.
- 8.4 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.

9.0 Financial Assurance

- 9.1 Within twenty (20) days of the issuance of this Approval, the Owner shall submit to the Ministry Financial Assurance, as defined in Section 131 of the EPA, for the amount of \$ 19,638. This Financial Assurance shall be in a form acceptable to the Director and shall provide sufficient funds for the analysis, transportation, Site clean-up, monitoring and disposal of all quantities of waste on the Site at any one time.
- 9.2 Commencing on September 30, 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 9.1. 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. The Financial Assurance must be submitted to the Director within twenty (20) days of written acceptance of the re-evaluation by the Director.
- 9.3 Commencing on September 30, 2020, the Owner shall prepare and maintain at the Site an

updated re-evaluation of the amount of financial assurance required to implement the actions required under Condition 9.1 for each of the intervening years in which a re-evaluation is not required to be submitted to the Director under Condition 9.2. The re-evaluation shall be made available to the Ministry, upon request.

- 9.4 The amount of Financial Assurance is subject to review at any time by the Director and may be amended at his/her discretion. 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.

10.0 Service Area and Hours of Operation

- 10.1 Only end-of-life vehicles generated within the geographical boundaries of Ontario shall be accepted at the Site.

- 10.2 The Owner shall receive, process and ship end-of-life vehicles between the hours of:

- (a) Monday to Friday from 7:00 a.m. to 5 p.m.
- (b) Saturday from 8:00 a.m. to 4:00 p.m.
- (c) Sunday from 9:00 a.m. to 4:00 p.m.

11.0 Signage and Security

- 11.1 The Owner shall install a sign at the main entrance/exit to the Site on which is legibly displayed the following information:

- (a) the name of the Site and Owner;
- (b) the number of this Approval;
- (c) the telephone number for the Ministry's Spills Action Centre;
- (d) the operating hours of the Site;
- (e) a twenty-four (24) hour telephone number that can be used to reach the Owner in the event of a complaint or an emergency; and
- (f) the type of waste that is approved for receipt at the Site.

- 11.2 The Owner shall operate and maintain the Site in a secure manner, with access to the Site regulated and secured against access by unauthorized persons.

12.0 Approved Waste Types

- 12.1 The Owner shall only accept end-of-life vehicles at the Site.

- 12.2 Notwithstanding Condition 12.1 above, the Owner may accept and manage ferrous and non-ferrous metals at the Site, in accordance with the exemption listed in Section 3 (2) 2 of Reg. 347.

13.0 Approved Waste Quantities

- 13.1 The maximum amount of end-of-life vehicles stored on the Site, at any one time, shall not exceed 150 unprocessed units (300 tonnes equivalent).
- 13.2 The maximum rate of incoming end-of-life vehicles at the Site, per day, shall not exceed 36 units (72 tonnes equivalent).
- 13.3 The maximum rate of outgoing residual waste from the Site, per day, shall not exceed 300 tonnes.
- 13.4 The maximum quantities of the following removed components from end-of-life vehicles stored on the Site, at any one time, shall not exceed:
- (a) 5,400 litres of fluids, as defined in O. Reg. 85/16;
 - (b) 5,000 tires;
 - (c) 150 vehicle shells;
 - (d) 45,000 pounds of batteries;
 - (e) 700 pounds of battery cable connectors that contain lead;
 - (f) 40 pounds of electrical switches that contain mercury;
 - (g) 2,000 pounds of tire weights that contain lead;
 - (h) 20 kilograms of asbestos waste; and
 - (i) 40 pounds of ozone depleting substances and other halocarbons.

14.0 Waste Storage and Handling

- 14.1 (a) The following wastes shall be stored inside the Vehicle De-pollution Building: batteries, battery cable connectors that contain lead, electrical switches that contain mercury, tire weights that contain lead, asbestos waste, ozone depleting substances and other halocarbons, and any other materials set out in a document entitled "Materials to be removed from end-of-life vehicles prior to shredding, crushing or shearing" dated March 7, 2016, as amended from time to time.
- (b) Fluids, as defined in O. Reg. 85/16, shall be stored outdoors, and as follows:
- (i) Engine oil in a 1,350 L Double Walled Utility Tank;
 - (ii) Clean gasoline in a 1,350 L Double Walled Utility Tank;
 - (iii) Dirty gasoline in a 1,350 L Double Walled Utility Tank; and
 - (iv) Antifreeze and/or washer fluid in a 1,350 L Double Walled Utility Tank.
- (c) Unprocessed end-of-life vehicles, tires and vehicle shells may be stored outdoors.
- 14.2 As a minimum for waste storage and processing areas, the Owner shall ensure that:
- (a) the floor and/or ground surface in the indoor and outdoor storage and processing areas, berms around the Site, and enclosed catch-basins described in Items 1 and 2 of Schedule "A" are maintained in a manner that prevents wastes/spills from entering the surface

- water and groundwater;
- (b) all storage, processing, unloading and loading areas are equipped with spill kits; and
- (c) the double walled storage tanks are equipped with interstitial sensors or gauges capable of detecting leaks.

14.3 As a minimum for waste storage and handling procedures, the Owner shall ensure that:

- (a) end-of-life vehicles and removed components are stored and/or processed in accordance with subsection 7 of O. Reg. 85/16, and the Fire Safety Plan identified in Condition 19.1 of this Approval;
- (b) asbestos-containing components are managed in accordance with Section 17 of Reg. 347, the Occupational Health and Safety Act enforced by the Ontario Ministry of Labour, and section 16.0 of this Approval;
- (c) ozone depleting substances and other halocarbons are handled in accordance with O. Reg. 463/10;
- (d) all containers and storage areas containing flammable and/or ignitable materials are adequately grounded;
- (e) incompatible types of waste are segregated during storage; and
- (f) storage of wastes is done in a manner which prevents contact with, or contamination of, stormwater.

15.0 Processing

- 15.1 (a) The following process is approved to be carried out at the Site: vehicle components' removal using the Vortex De-pollution System or an equivalent.
- (b) The operation and maintenance of the Vortex De-pollution System (or an equivalent) shall conform to manufacturer specifications, and industry best management practices, and shall be conducted by Trained Personnel, all in accordance with the descriptions provided in the Design and Operations Report listed in Item 1 of Schedule "A".

15.2 All processing shall occur inside the Vehicle De-pollution Building.

16.0 Management of Asbestos Waste

- 16.1 The Owner shall ensure that all asbestos-containing components removed from end-of-life vehicles are handled in a manner that prevents the asbestos from becoming airborne.
- 16.2 The asbestos waste generated at the Site shall be stored in a secure rigid container e.g. a roll-off bin. The container shall be covered/closed at all times except when depositing or removing the asbestos waste.
- 16.3 Every asbestos waste container on-site shall be labelled with the word "CAUTION" on two sides in large, easily legible letters not less than ten (10) centimetres in height in a colour that contrasts with the background colour, and with the following words:

"CONTAINS ASBESTOS FIBRES

Avoid Creating Dust and Spillage
Asbestos May be Harmful To Your Health
Wear Approved Protective Equipment"

- 16.4 The Owner shall ensure that asbestos spill and safety equipment is available and maintained in good working order at the Site, including (but not limited to) a shovel, a broom, wetting agent, protective clothing, a supply of six-mil polyethylene bags, bag closures and personal respiratory equipment.

17.0 Waste Inspections

- 17.1 The Owner shall ensure all incoming loads are inspected by Trained Personnel to ensure only waste approved under this Approval is received at this Site.
- 17.2 If any incoming waste load is known to, or is discovered to, contain unapproved waste, that load shall not be accepted at the Site.
- 17.3 If any unapproved waste is discovered on-site, that waste shall be immediately disposed of in accordance with the EPA and Reg. 347.

18.0 Labelling

- 18.1 All tanks and storage containers shall be clearly labelled indicating the type and nature of the waste stored as required by applicable legislation.

19.0 Spill Prevention, Emergency Response and Fire Safety

- 19.1 The Owner shall:
- (a) immediately take all measures necessary to report, contain, clean up and dispose of contaminants following a spill or leak at the Site;
 - (b) implement the Spill Contingency and Emergency Response Plan, prior to the receipt of end-of-life vehicles at the Site. This shall include, as a minimum:
 - (i) emergency response procedures to be undertaken in the event of emergencies such as spill, process upsets, evacuation, spills, bomb threats and medical emergencies;
 - (ii) a list of contingency equipment and spill clean up materials, including names and telephone numbers of waste management companies available for emergency response; and,
 - (iii) a notification protocol with names and telephone numbers of persons to be contacted, including Trained Personnel, the Ministry of Environment District Office and Spills Action Centre, the local Fire Department, the local Municipality, the local Medical Officer of Health, and the Ministry of Labour.
 - (c) have in place a Fire Safety Plan for the Site.

all in accordance with the descriptions provided in Item 1 of Schedule "A".

- 19.2 The Spills Response, Emergency Response and Fire Safety Plans shall be kept up-to-date, and a copy shall be retained on-site, and be made accessible to all staff at all times.
- 19.3 All staff that operate the Site shall be fully trained in the use of the Spills Response, Emergency Response and Fire Safety Plans, and in the procedures to be employed in the event of an emergency.
- 19.4 All spills and upsets shall be immediately reported to the Ministry's Spills Action Centre at (416) 325-3000 or 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 the action taken for clean-up, correction and prevention of future occurrences.

20.0 Nuisance Control

- 20.1 The Owner shall operate and maintain the Site such that dust, odours, vectors, vermin, birds, litter, noise and traffic do not create a nuisance.
- 20.2 If at any time problems such as dust, odours, vectors, vermin, birds, litter, noise, traffic or other nuisances are generated at the Site, the Owner shall take appropriate, immediate remedial action to eliminate the problem.

21.0 Procedures Manual and Preventative Maintenance

- 21.1 A procedures manual shall be prepared prior to any waste being received at the Site and shall be maintained current at all times and kept at the Site in a location that is accessible to Site personnel at all times. The procedures manual shall contain detailed standard operating procedures relating to all aspects of the handling of waste at the Site including contingency procedures to be followed in the event of equipment malfunction, a labour disruption, transportation disruption, inability of receiving sites to accept waste or other business disruption to the operation.
- 21.2 Prior to the receipt of end-of-life vehicles at the Site, the Owner shall prepare a preventative maintenance program for all on-site equipment associated with the handling of waste to be implemented during normal operations. The preventative maintenance program shall be available on Site for inspection by a Provincial Officer upon request.

22.0 Design and Operations Report

22.1 The Design and Operations Report shall be retained at the Site; kept up-to-date; and be available for inspection by Ministry staff.

22.2 Changes to the Design and Operations Report shall be submitted to the Director for approval.

23.0 Training

23.1 Prior to the receipt of end-of-life vehicles at the Site, a training plan specific to the Site shall be developed and implemented to ensure that all employees that operate the Site or carry out any activity required under this Approval are trained in its operation.

23.2 The training plan shall require and ensure through proper written records that all persons directly involved with activities relating to the Site have been trained with respect to:

- (a) relevant waste management legislation, regulations and guidelines;
- (b) environmental concerns pertaining to the waste to be handled;
- (c) occupational health and safety concerns pertaining to the wastes to be handled;
- (d) management procedures including the use and operation of equipment for the wastes to be handled;
- (e) specific written procedures for refusal of unacceptable waste loads;
- (f) contingency, emergency response and fire safety procedures;
- (g) specific written procedures for the control of nuisance conditions; and
- (h) the requirements of this Approval.

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

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

23.4 The Owner shall ensure that Trained Personnel is/are on duty at all times when the Site is open to carry out any activity required under this Approval.

24.0 Site Inspections

24.1 Trained Personnel shall carry out a visual inspection of the Site each day the Site is in operation to ensure that:

- (a) the Site is secure;
- (b) that the operation of the Site is not causing any nuisances including those from dust, odours, vectors, vermin, birds, litter, noise and traffic;
- (c) that the operation of the Site is not causing any adverse effects; and
- (d) that the Site is being operated in compliance with this Approval.

24.2 Any deficiencies discovered as a result of an inspection carried out under Condition 24.1 shall be remedied immediately, including temporarily ceasing operations at the Site if needed.

24.3 A record of the inspections shall be kept in the daily log book that includes the following information:

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

25.0 Record Keeping

25.1 The Owner shall maintain a daily record either electronically or in a log book for the purposes of tracking on-site daily tonnages received and stored on-site, which shall include the following information:

- (a) the date, type and quantity of waste received;
- (b) quantity of all unprocessed and processed waste at the Site;
- (c) the date, type, quantity and destination of each type of waste shipped from the Site;
- (d) a record of any waste refusals which shall include: amounts, reasons for refusal and actions taken; and
- (e) a record of the daily inspections required by the conditions of section 24.0 of this Approval.

26.0 Complaints

26.1 If at any time the Owner receives complaints about the operation of the Site regarding impacts to the environment or the health and safety of the public, the Owner shall respond to these complaints according to the following procedure:

- (a) The Owner shall record and number each complaint, either electronically or in a log book, and shall include the following information:
 - (i) the nature of the complaint; and
 - (ii) the name, address and the telephone number of the complainant (if provided); and
 - (iii) the time and date of the complaint.
- (b) The Owner, upon notification of the complaint:
 - (i) 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
 - (ii) in writing, notify the District Manager of the complaint within two (2) business days.

- (c) The Owner shall complete and retain on-site a report written within one (1) week of the complaint date, listing the actions taken to resolve the complaint and any recommendations for remedial measures, and managerial or operational changes to reasonably avoid the recurrence of similar incidents.

27.0 Annual Report

27.1 By September 30, 2020, and on an annual basis thereafter, the Owner shall submit to the District Manager, and retain on Site a written report which covers the previous calendar year. The report shall include, at a minimum, the following information:

- (a) a detailed monthly summary of the type and quantity of all incoming and outgoing wastes and the destination of all outgoing wastes;
- (b) any environmental and operational problems, that are likely to negatively impact the environment, encountered during the operation of the Site and during the Site inspections and any mitigative actions taken;
- (c) a summary of complaints received and the actions taken to mitigate the issue associated with the complaint;
- (d) any recommendations to minimize environmental impacts from the operation of the Site and to improve Site operations; and
- (e) any changes to the Spills or Emergency Response Plan, Fire Safety Plan, the Design and Operations Report and the Closure Plan that have been approved by the Director since the last Annual Report.

28.0 Closure Plan

28.1 No less than three (3) months prior to the permanent closure of the Site, the Owner shall submit to the District Manager written notification of the decision to cease waste management activities at the Site and a schedule for the cessation of activities. In the event of an unplanned permanent closure of the Site or indefinite cessation of Site activities, the Owner shall submit the above noted information to the District Manager forthwith.

28.2 Within ten (10) days after closure of the Site, the Owner shall notify the Director and the District Manager, in writing, that the Site is closed and that the decommissioning activities have been completed.

SCHEDULE "A"

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

1. ECA application from Benmet Steel & Metal dated March 27, 2019 signed by Jonathan Cohen - Owner, including all attachments.
2. Email response from Crystal Harte, GHD, dated July 19, 2019 addressed to Maliha Tariq, MECP, Re: answer to additional questions for site operations, including all attachments.
3. Email response from Crystal Harte, GHD, dated September 3, 2019 addressed to Maliha Tariq, MECP, Re: comments on draft ECA and addressing additional questions.
4. Email response from Crystal Harte, GHD, dated October 3, 2019 addressed to Maliha Tariq, MECP, Re: revised financial assurance calculations.

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

- 1. The reason for the definitions is to simplify the wording of the subsequent conditions and define the specific meaning of terms as used in this Approval.*
- 2. The reason for the conditions in sections 1.0, 3.0, 4.0, 5.0 and 8.0 is to clarify the legal rights and responsibilities of the Owner and Operator.*
- 3. The reason for the conditions in sections 2.0 and 22.0 is to ensure that the Site is operated in accordance with the application and supporting documentation submitted by the Company, and not in a manner which the Director has not been asked to consider.*
- 4. The reasons for condition 6.1 are 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.*
- 5. The reasons for condition 6.2 are 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.*
- 6. The reason for the conditions in section 7.0 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 section is supplementary to the powers of entry afforded a Provincial Officer pursuant to the EPA and OWRA.*
- 7. The reason for the conditions in section 9.0 is to ensure that sufficient funds are available to the Ministry to clean up the Site in the event that the Company is unable or unwilling to do so.*
- 8. The reason for condition 10.1 is to specify the approved service area from which waste may be accepted at the Site.*
- 9. The reason for condition 10.2 is to specify the hours of operation for the Site.*
- 10. The reason for condition 11.1 is to ensure that users of the Site are fully aware of important information and restrictions related to Site operations and access under this Approval.*
- 11. The reason for condition 11.2 is to ensure the controlled access and integrity of the Site by preventing unauthorized access when the Site is closed and no site attendant is on duty.*
- 12. The reasons for the conditions in sections 12.0 and 13.0 are to specify the types of waste that may be accepted at the Site, the amounts of waste that may be stored at the Site and the maximum rate at which waste may be received and shipped from the Site based on the Owner's application and supporting documentation.*

13. *The reason for the conditions in sections 14.0, 15.0, 16.0, 18.0, 20.0 and 21.0 is to ensure that waste storage, handling, processing and disposal occurs in a manner which does not result in a nuisance or a hazard to the environmental, and health and safety of the people.*
14. *The reason for the conditions in section 17.0 is to ensure that all wastes are properly classified to ensure that they are managed in accordance with Reg. 347, and in a manner that protects the environment, and health and safety of people and the public.*
15. *The reason for conditions 19.1, 19.2 and 19.4 is to ensure that Spills Response, Emergency Response and Fire Safety Plans are developed, implemented and maintained at the Site, such that the environment is protected and deterioration, loss, injury or damage to any person(s) or property is prevented.*
16. *The reasons for conditions 19.3, 23.1, 23.2, 23.3 and 23.4 are to ensure that the Owner's staff are properly trained in the operation of the equipment used at the Site and emergency response procedures, and that the trained staff operate the Site in a manner which does not result in a hazard or nuisance to the natural environment or any person.*
17. *The reason for the conditions in section 24.0 is to ensure that detailed records of Site inspections are recorded and maintained for inspection and information purposes.*
18. *The reason for the conditions in section 25.0 is to provide for the proper assessment of effectiveness and efficiency of site design and operation, their effect or relationship to any nuisance or environmental impacts, and the occurrence of any public complaints or concerns. Record keeping is necessary to determine compliance with this Approval, the EPA and its regulations.*
19. *The reason for the conditions in section 26.0 is to ensure that any complaints regarding Site operations at the Site are responded to in a timely manner.*
20. *The reasons for the conditions in section 27.0 are to ensure that regular review of site development, operations and monitoring data is documented, and any possible improvements to site design, operations or monitoring programs are identified. An annual report is an important tool used in reviewing site activities and for determining the effectiveness of site design.*
21. *The reason for the conditions in section 28.0 is to ensure that the Site is closed in accordance with Ministry standards and to protect the health and safety of the public and 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

*** 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 11th day of October, 2019



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

MT/

c: District Manager, MECP Guelph
Rodney Gibbons, Crystal Harte & Fred Taylor, Ben-Met Steel & Metal Inc.