

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER A7313906

Issue Date: September 25, 2020

C. Villeneuve Construction Co. Ltd.
1533 Hwy 11 W
Post Office Box, No. 1720
Hearst, Ontario
P0L 1N0

Site Location: Kendall Wood Waste Disposal Site (Lot 10-12, Concession 8)
Lot 11, Concession 8
Kendall Unorganized Township, District of Cochrane
P0L 1N0

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 closed 13 hectare waste disposal site (landfill) within a total site area, including the contaminant attenuation zone, of 182.9 hectares.

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 section 20.3 of the EPA, and includes any schedules to it, the application and the supporting documentation listed in schedule "A";

"CAZ" means the sixty-three (63) hectare contaminant attenuation zone identified as Lot 12, Concession 8 except PT 1, 6R4852; S/T C102379, C215001, C373868; in the District of Cochrane;

"Director" means any Ministry employee appointed in writing by the Minister pursuant to section 5 of the EPA as a Director for the purposes of Part II.1 of the EPA;

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

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

“Ministry” means the Ontario Ministry of the Environment, Conservation and Parks;

“Operator” has the same meaning as “operator” as defined in s.25 of the EPA;

“Owner” means C. Villeneuve Construction Co. Ltd. and its successors and assigns;

“PA” means the Pesticides Act, R.S.O. 1990, c. P.11, as amended;

"Provincial Officer" means any person designated in writing by the Minister as a provincial officer pursuant to section 5 of the OWRA or section 5 of the EPA or section 17 of PA.

"Regional Director" means the Regional Director of the local Regional Office of the Ministry in which the Site is located.

"Regulation 232" or "Reg. 232" means Ontario Regulation 232/98, Landfilling Sites, made under the EPA, as amended;

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

"Site" means the entire Kendall Wood Waste disposal site, including the buffer lands, and contaminant attenuation zone located at Lot 11, Concession 8, Kendall Unorganized Township, District of Cochrane, approved by this Approval; and

“Trained Personnel” means personnel knowledgeable in the following through instruction and/or practice:

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

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. GENERAL

Compliance

- (1) This Approval revokes all previous Approvals and Notices of Amendment issued under Part V of the

Environmental Protection Act for this Site. The approval given herein, including the terms and conditions set out, replaces all previously issued Approvals and related terms and conditions under Part V of the Act for this Site.

- (2) 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.
- (3) Any person authorized to carry out work on or operate any aspect of the Site shall comply with the conditions of this Approval.

In Accordance

- (4) Except as otherwise provided by this Approval, the Site shall be designed, developed, built, operated and maintained in accordance with the documentation listed in the attached Schedule "A".
- (5) (a) Construction and installation of aspects described in Schedule "A" must be completed within 5 years of the later of:
 - 1. the date this Approval is issued; or
 - 2. 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.
- (b) This Approval ceases to apply in respect of the aspects of the Site noted above that have not been constructed or installed before the later of the dates identified in Condition 1(5)(a).

Interpretation

- (6) Where there is a conflict between a provision of any document listed in Schedule "A" in this Approval, and the conditions of this Approval, the conditions in this Approval shall take precedence.
- (7) Where there is a conflict between the application and a provision in any document 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 the Ministry approved the amendment.
- (8) Where there is a conflict between any two documents listed in Schedule "A", the document bearing the most recent date shall take precedence.
- (9) 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.

Other Legal Obligations

- (10) 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; and
 - (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.
 - (c) The Owner shall ensure that:
 - (i) all equipment discharging to atmosphere are approved under Section 9 of the ECA where applicable; and
 - (ii) all effluent is discharged in accordance with the OWRA where applicable.

Adverse Effect

- (11) 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 present, past and historical operations at the Site. Such steps may include accelerated or additional monitoring as may be necessary to determine the nature and extent of the effect or impairment.
- (12) 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.
- (13) At no time shall the Owner or Operator allow the discharge of a contaminant that causes or is likely to cause an adverse effect be permitted.

Change of Ownership

- (14) 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) the Operator of the Site;
 - (c) the address of the Owner or Operator; and
 - (d) the partners, where the Owner or Operator 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.
- (15) 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.
- (16) 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.

Registration on Title Requirement

- (17) Prior to dealing with the property in any way, the Owner shall provide a copy of this Approval and any amendments, to any person who acquires an interest in the property as a result of the dealing.
- (18) (a) If not already completed, within ninety (90) calendar days from the date of issuance of this Approval, the Owner shall submit to the Director a completed Certificate of Requirement which shall include:
- (i) a plan of survey prepared, signed and sealed by an Ontario Land Surveyor, which shows the area of the Site where waste has been and is to be deposited at the Site;
 - (ii) proof of ownership of the Site;
 - (iii) a letter signed by a member of the Law Society of Upper Canada or other qualified legal practitioner acceptable to the Director, verifying the legal description provided in the Certificate of Requirement;
 - (iv) the legal abstract of the property; and
 - (v) any supporting documents including a registerable description of the Site.
- (b) If not already completed, within fifteen (15) calendar days of receiving a Certificate of Requirement authorized by the Director, the Owner shall:
- (i) register the Certificate of Requirement in the appropriate Land Registry Office on the title to the property; and
 - (ii) submit to the Director and the District Manager, written verification that the Certificate of Requirement has been registered on title.

Registration on Title Requirement - Contaminant Attenuation Zone (CAZ)

- (19) If not already completed, or if required at any time, within thirty (30) calendar days from the date of establishing a contaminant attenuation zone (CAZ) (overburden and/or bedrock aquifers) in either fee simple or by way of a groundwater easement, the Owner shall submit to the Director a completed Certificate of Requirement which shall include:
- (a) If rights are obtained in fee simple, the Owner shall provide:
- (i) documentation evidencing ownership of the CAZ obtained in compliance with Regulation 232, as amended;
 - (ii) a completed Certificate of Requirement and supporting documents containing a registerable description of the CAZ; and
 - (iii) a letter signed by a member of the Law Society of Upper Canada; or other qualified legal practitioner acceptable to the Director, verifying the legal description of the CAZ.
- (b) within fifteen (15) calendar days of receiving a Certificate of Requirement signed or authorized by the Director, the Owner shall:
- (i) register the Certificate of Requirement in the appropriate Land Registry Office on the title to the property; and
 - (ii) submit to the Director and the District Manager, a written verification that the Certificate of Requirement has been registered on title.

- (c) If rights are obtained by way of a groundwater easement, the Applicant shall:
 - (i) provide a copy of the agreement for the easement;
 - (ii) provide a plan of survey signed and sealed by an Ontario Land Surveyor for the CAZ; and
 - (iii) submit proof of registration on title of the groundwater easement to the Director and District Manager;
- (d) The Owner shall not amend, or remove, or consent to the removal of the easement or CAZ from title without the prior written consent of the Director.

Certificate of Withdrawal of Requirement

- (20) If the Applicant wants to withdraw the Certificate of Requirement, the Applicant shall:
 - (a) submit to the Director, a request for a Certificate of Withdrawal of Requirement; and its supporting documents, outlining the reasons for the Withdrawal of the Requirement.
 - (b) submit to the Director:
 - (i) a plan of survey of the area where waste was deposited signed and sealed by an Ontario Land Surveyor and for the Site or CAZ;
 - (ii) the legal abstract of the Site or CAZ – or area where waste was deposited;
 - (iii) completed Certificate of Withdrawal of Requirement containing a registerable description of the Site or CAZ or area where waste was deposited; and
 - (iv) a letter signed by a member of the Law Society of Upper Canada or other qualified legal practitioner acceptable to the Director verifying the legal description of the Certificate of Withdrawal of Requirement.
 - (c) within fifteen (15) calendar days of receiving a Certificate of Withdrawal of Requirement authorized by the Director, the Applicant shall:
 - (i) register the Certificate of Withdrawal of Requirement in the appropriate Land Registry Office on the title to the Site or CAZ or area where waste was deposited; and
 - (ii) submit to the Director and District Manager a copy of the registered document together with a copy of the PIN Abstract confirming the registration.

Inspections by the Ministry

- (21) No person shall hinder or obstruct a Provincial Officer from carrying out any and all inspections authorized by the OWRA, the EPA, the PA, the SDWA or the NMA, of any place to which this Approval relates, and without limiting the foregoing:
 - (a) to enter upon the premises where the approved 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 EPA, the OWRA, the PA, the SDWA or the NMA.

Information and Record Retention

- (22) (a) Except as authorized in writing by the Director, all records required by this Approval shall be retained at the Site for a minimum of two (2) years from their date of creation.
- (b) The Owner shall retain all documentation listed in Schedule "A" for as long as this Approval is valid.
- (c) All information and logs required in Condition 7(1) shall be kept at the Site until they are included in the Annual Report.
- (d) The Owner shall retain employee training records as long as the employee is working at the Site.
- (e) The Owner shall make all of the above documents available for inspection upon request of Ministry staff.
- (23) 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; and
- (b) acceptance by the Ministry of the information's completeness or accuracy.
- (24) The Owner shall ensure that a copy of this Approval, in its entirety and including all its Notices of Amendment, and documentation listed in Item #1 of Schedule "A", are retained at the Site or the Owner's office at all times.
- (25) Any information related 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, RSO 1990, CF-31.

Financial Assurance

- (26) (a) Within twenty (20) days of issuance of this Notice, the Owner shall submit to the Director, Financial Assurance as defined in Section 131 of the Environmental Protection Act, in the amount of **\$186,082.00**. This Financial Assurance shall be in a form acceptable to the Director and shall provide sufficient funds for the post-closure monitoring, maintenance and care of the Landfill;
- (b) Commencing on March 31, 2023 and on a three year basis thereafter, the Owner shall provide to the Director a re-evaluation of the amount of the Financial Assurance to facilitate the actions required under Condition (26)(a). 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 alternative measures required by the Director upon review of the 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;
- (c) Commencing on March 31, 2021, 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 26(a) for each of the intervening years in which a re-evaluation is not required to be submitted to the Director under Condition 26(b). The re-evaluation shall be made available to the Ministry, upon request; and

- (d) 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 Owner shall forthwith replace the Financial Assurance with cash.

2. SITE OPERATIONS AND DESIGN

General

- (1) No additional waste including both woodwaste and hydrocarbon contaminated soils shall be received, processed, stored, or landfilled at the Site.

Signage and Security

- (2) A sign shall be installed and maintained at the main entrance/exit to the Site which legibly displays the following information:
 - (a) the name of the Site and Owner;
 - (b) the number of the Approval;
 - (c) the telephone number to which complaints may be directed;
 - (d) a warning against unauthorized access;
 - (e) a twenty-four (24) hour emergency telephone number (if different from above); and
 - (f) a warning against dumping outside the Site.
 - (g) clearly states the Site is closed and no longer accepts waste.
- (3) The Owner shall ensure that:
 - a. access to the Site is restricted to the public; and
 - b. the lockable gate is kept in good repair.

Nuisance Control

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

Landfill Gas

- (5) The Owner shall ensure that all buildings at the Site are free of any possible landfill gas accumulation. If necessary, the Owner shall provide adequate ventilation systems to relieve landfill gas accumulations in the buildings at the Site. All on site buildings shall have a landfill gas alarm installed in every building.

3. GROUNDWATER AND SURFACE WATER MONITORING

Compliance

- (1) The Site shall be operated in such a way as to ensure compliance with the following:
 - (a) Reasonable Use Guideline B-7 for the protection of the groundwater at the Site; and
 - (b) Provincial Water Quality Objectives included in the July 1994 publication entitled Water Management Policies, Guidelines, Provincial Water Quality Objectives, as amended from time to time, or limits set by the Regional Director, or the Canadian Water Quality Guidelines published by the Canadian Council of Ministers of the Environment, 1999 for the protection of the surface water at and off the Site.

Groundwater

- (2) The Owner shall monitor groundwater in accordance with the environmental monitoring program outlined in Schedule "B".
- (3) A certified Professional Geoscientist or Professional Engineer possessing appropriate hydrogeologic and hydrologic training and experience shall execute or directly supervise the execution of the environmental monitoring and reporting program.

Groundwater Wells and Monitors

- (4) The Owner shall ensure that all groundwater monitoring wells which form part of the monitoring program are properly capped, locked and protected from damage and maintained in accordance with Regulation 903.
- (5) Any groundwater monitoring well included in the on-going monitoring program that is damaged shall be assessed, repaired, replaced or decommissioned by the Owner, as required.
 - (a) The Owner shall repair or replace any monitoring well which is destroyed or in any way made to be inoperable for sampling such that no more than one regular sampling event is missed.
 - (b) All monitoring wells which are no longer required as part of the groundwater monitoring program, and have been approved by the Director or the District Manager for abandonment, shall be decommissioned by the Owner, as required, in accordance with Regulation 903, to prevent contamination through the abandoned well. A report on the decommissioning of the well shall be included in the Annual Report for the period during which the well was decommissioned.

Trigger Mechanisms and Contingency Plans

- (6) The Owner shall comply with the site-specific trigger mechanism program and contingency measures

outlined in Section 10.0, Item #19 of Schedule "A".

Changes to the Monitoring Plan, Trigger Mechanism and Contingency Plan

- (7) The Owner may request to make changes to the environmental monitoring program, Trigger Mechanism and Contingency Plan to the District Manager in accordance with the recommendations of the annual report. The Owner shall make clear reference to the proposed changes in a separate letter that shall accompany the annual report.
- (8) Within fourteen (14) days of receiving the written correspondence from the District Manager confirming that the District Manager is in agreement with the proposed changes to the environmental monitoring program, the Owner shall forward a letter identifying the proposed changes and a copy of the correspondences from the District Manager and all other correspondences and responses related to the changes to the monitoring program, to the Director requesting the Approval be amended to approve the proposed changes to the environmental monitoring plan prior to implementation.
- (9) In the event any other changes to the environmental monitoring program are proposed outside of the recommendation of the annual report, the Owner shall follow current Ministry procedures for seeking approval for amending the Approval.

4. EMPLOYEE TRAINING

- (1) A training plan for all employees that operate any aspect of the Site shall be developed and implemented by the Owner or the Operator. Only Trained Personnel shall operate any aspect of the Site or carry out any activity required under this Approval.
- (2) The Owner shall ensure that all site operations employees have been adequately trained and received on-going training with respect to the following, but not limited to:
 - (a) terms, conditions and operating requirements of this Approval for the Site;
 - (b) the operation, inspection, and maintenance of the Site with respect to the approved design and operations documents;
 - (c) relevant waste management legislation and regulations;
 - (d) environmental concerns related to waste management at the Site;
 - (e) occupational Health and Safety concerns related to waste management at the Site;
 - (f) emergency procedures and contingency plans in case of fire, spills, off-site impacts and any other emergency situations;
 - (g) terms, conditions and operating requirements of this Approval;
 - (h) operation and management of the landfill and the other waste storage areas as described in the documents in Schedule "A" attached to this Approval unless otherwise required by the conditions of this Approval;
 - (i) outline of the responsibilities of the operators of the Site;
 - (j) any environmental concerns pertaining to wastes being handled at the Site;
 - (k) occupational health and safety concerns pertaining to the wastes to be handled at the Site;
 - (l) relevant environmental legislation and regulations, including but not limited to the EPA and Reg.

347;

- (m) specific written procedures for the control of nuisance conditions; and
- (n) operation of equipment and procedures to be followed in the event of an emergency situation as described in the Emergency Response Manual required by this Approval.

5. COMPLAINTS RESPONSE PROCEDURE

- (1) If at any time the Owner receives complaints regarding the operation of the Site, 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: the nature of the complaint, the name, address and the telephone number of the complainant if the complainant will provide this information and the time and date of the complaint;
 - (b) The Owner, upon notification of the complaint, shall initiate appropriate steps to determine possible causes of the complaint, proceed to take the necessary actions to eliminate the cause of the complaint and forward a written reply to the complainant; and
 - (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 recommendations, if any, for remedial measures, and managerial or operational changes to reasonably avoid the recurrence of similar incidents.
- (2) The Owner shall designate a person to receive any complaints and to respond with a written notice of action as soon as possible. The Owner shall post site complaints procedure at site entrance. All complaints and the Owner's actions taken to remedy the complaints must be summarized in the Annual Report.

6. EMERGENCY AND SPILL RESPONSE

- (1) All Spills as defined in the EPA occurring at or from the Site shall be immediately reported to the Ministry's Spills Action Centre at 1-800-268-6060 and shall be recorded in the log book. The Owner/Operator shall record for each Spill event the contaminant(s) spilled, the quantity or volume of contaminants spilled, the spatial distribution of the area impacted by the Spill, a root cause analysis of the events leading up to the Spill and a list of actions designed to prevent similar Spill events.
- (2) In addition, the Owner shall submit to the District Manager a written report within three (3) business days of the Spill event, outlining the nature of the incident, remedial measures taken, handling of waste generated as a result of the emergency situation and the measures taken to prevent future occurrences at the Site.
- (3) All wastes resulting from a Spill event shall be managed and disposed of in accordance with the EPA and Regulation 347.
- (4) All equipment and materials required to handle the Spill event shall be:
 - (a) kept on hand at all times that waste landfilling and/or handling is undertaken at the Site; and

- (b) adequately maintained and kept in good repair.
- (5) The Owner shall ensure that the emergency response personnel are familiar with the use of such equipment and its location(s).

7. INSPECTIONS, RECORD KEEPING AND REPORTING

Inspections and Inspection Log

- (1) Site inspections shall occur at the following frequency and any deficiencies shall be repaired immediately:
 - (a) landfill final cover inspections to identify deficient vegetation, erosional or cover failure, leachate seeps, and ponded water shall occur biannually;
 - (b) infiltration swales shall be inspected biannually to identify presence of sediments and waste and to ensure the swales are functioning properly;
 - (c) monitoring wells shall be inspected biannually to determine if repair, replacement, or decommissioning is required;
 - (d) signs shall be inspected biannually to ensure they are legible and in good condition; and
 - (e) the entrance gate and Site property boundary shall be inspected biannually to identify repair or replacement is required.
- (2) The Owner shall ensure that Site inspections and maintenance program are undertaken by Trained Personnel and the areas to be inspected shall include, but not be limited to the following, to ensure that:
 - (a) the Site is secure;
 - (b) the operation of the Site is not causing any nuisances;
 - (c) the operation of the Site is not causing any adverse effects on the environment or impairing water quality;
 - (d) the Site is being operated in compliance with this Approval.
 - (e) condition of the surface water drainage works;
 - (f) presence of any ponded water at the Site;
 - (g) condition of the on-site roads for evidence of excessive erosion and fugitive dust emissions;
 - (h) presence of litter at the Site's perimeter and litter fences;
 - (i) condition of the final cover;
 - (j) presence of vector, vermin and animals;
 - (k) condition of the on-site facilities, the gate and its lock and the signs required by this Approval;
 - (l) presence of leachate seeps.
- (3) Any deficiencies discovered as a result of the inspections shall be remedied immediately.
- (4) An electronic or written record of the inspections shall be maintained and shall include the following:
 - (a) the name and signature of person that conducted the inspection;
 - (b) the date and time of the inspection;
 - (c) the list of all deficiencies discovered during the inspections, including but not limited to:

- (i) the presence of any leachate seeps;
- (ii) poor drainage conditions and ponding of surface water; and
- (iii) the presence of waste outside of the approved fill area;
- (d) the recommendations for remedial action to address the identified deficiencies; and
- (e) the date, time and description of the remedial actions taken.

Other Information

- (5) Any information requested, by the Director, the District Manager or a Provincial Officer, 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.

Annual Report

- (6) A written report (the “Annual Report”) on the development, operation and monitoring of the Site, shall be completed every three years. The Annual Report shall be submitted to the District Manager, by March 31st of the year following the period being reported upon.
- (7) The Annual Report shall include, but not be limited to, the following information:
 - (a) any operating problems encountered and corrective actions taken;
 - (b) details on the monitoring program undertaken, a Site plan outlining monitor locations, analytical parameters sampled, and frequency of sampling;
 - (c) an analysis and interpretation of the surface water and groundwater monitoring data, a review of the adequacy of the monitoring program, conclusions of the monitoring data, and recommendations for any changes that may be necessary;
 - (d) summary of inspections undertaken at the Site;
 - (e) summary of any public complaints received and the responses made;
 - (f) a statement as to compliance with all conditions of this Approval and the other relevant Ministry’s groundwater and surface water requirements;
 - (g) recommendations respecting any proposed changes in the operation of the Site;
 - (h) a report on the status of all monitoring wells and a statement as to compliance with Ontario Regulation 903;
 - (j) a plan showing Site appearance after closure;
 - (j) an assessment of the adequacy of and need to implement the contingency plans;
 - (k) an estimate of the contaminating life span of the Site, based on the results of the monitoring programs to-date;
 - (l) a location map illustrating the site relative to nearby potentially sensitive groundwater/surface water features (i.e., lakes, streams, wells) and neighbouring properties, including the boundaries of the neighbouring closed waste disposal site property;
 - (m) a map illustrating water table contours and surface water flow paths based on current water level data;
 - (n) stratigraphic cross-sections which clearly illustrate the subsurface distribution of geological materials;
 - (o) borehole logs for all monitoring wells;

- (p) tables illustrating historical water chemistry and water level data;
- (q) graphs illustrating historical water quality trends for key landfill leachate indicator parameters;
- (r) an estimate of attenuation effects and resultant contaminant concentrations at the down gradient boundary of the Contaminant Attenuation Zone;
- (s) recommendations for future monitoring and/or remedial actions;
- (t) a section detailing the field sampling protocols and QA/QC measures; and
- (u) any other information that the Regional Director or the District Manager may require.

8. CLOSURE PLAN

- (1) The Site shall be closed in accordance with the submitted closure plan identified by Item #19 of Schedule "A".

Schedule "A"

This Schedule "A" forms part of Environmental Compliance Approval No. A7313906.

1. Application for a Certificate of Approval that was submitted with the Trow Environmental Report dated October 1988.
2. Letter to Villeneuve Construction Co. Ltd. from Trow Consulting Engineers Ltd. dated January 4, 1994, and signed by J. P. Burak.
3. Application for a Certificate of Approval for a Waste Disposal Site (Landfill) Amendment dated June 27, 1997, signed by Claude Villeneuve, President, of Claude Villeneuve Construction Company Ltd. and the supporting information, plans and specifications submitted therewith.
4. The Application for a Provisional Certificate of Approval for a Waste Disposal Site dated April 2, 2001 and signed by Ghislain Lacroix, Vice-President of C. Villeneuve Construction Co. Ltd.
5. The letter dated April 2, 2001 to the Director, Approvals Branch, Ministry of the Environment from Stephane Lehoux of C. Villeneuve Construction Co. Ltd. providing supporting documentation to the Application for a Provisional Certificate of Approval dated April 2, 2001.
6. The facsimile transmission dated May 23, 2001 from Gerry Lalonde of Stantec Consulting Ltd. to John Kaasalainen of the Ministry of the Environment, Environmental Assessment and Approvals Branch providing the analytical results for Regulation 347, Schedule 4, Leachate Toxicity testing for the wood ash materials.
7. Application for a Provisional Certificate of Approval for a Waste Disposal Site dated April 30, 2004 and signed by Mr. Ghislain Lacroix of C. Villeneuve Construction Co. Ltd.
8. Document entitled "Application for Waste Processing Site, Section 27, Environmental Protection Act, Lot 11, Concession 8, Township of Kendall, C. Villeneuve Construction Co. Ltd. Prepared by Sutcliff Roday Quesnel Inc. Engineers and Surveyors.
9. Letter dated August 20, 2004 from Mr. Dan Cook, M.Sc., P.Eng., Senior Project Engineer, Sutcliff Roday Quesnel Inc. to Mr. Andrew Mobberly, MOE regarding how the hydrocarbon contaminated soil will be tracked on site.
10. Application for a Certificate of Approval dated May 22, 2009, signed by Daniel Grenier.
11. Letter dated May 22, 2009 addressed to Environmental Assessment and Approvals Branch, Ministry of the Environment accompanying the above application and supporting documentation.
12. Letter from Karl Labrosse dated July 17, 2009 addressed to Ranjani Munasinghe, Ministry of the Environment.

13. Letter from Karl Labrosse dated June 1, 2010 addressed to Ranjani Munasinghe, Ministry of the Environment agreeing to the contents of the Memorandum dated January 27, 2010 from Alisdair Brown, Technical Support Section of the Ministry and the draft amendment to the Certificate of Approval.
14. Financial Assurance Evaluation dated June 16, 2010, addressed to Karl Labosse, Pit & Quarry Manager, Villeneuve Construction Co. Ltd., prepared by Troy Gordon, Trow Associates Inc.
15. Letter dated May 26, 2011, to Troy Gordon, exp. and Gilles Leclerc Jr, C. Villeneuve Co. Ltd. from David Lee, Senior Review Engineer, Ministry of the Environment. Re: Financial Assurance Re-evaluation.
16. Financial Assurance Re-submission dated July 24, 2011, addressed to Karl Labosse, Pit & Quarry Manager, Villeneuve Construction Co. Ltd., prepared by Troy Gordon, Trow Associates Inc.
17. Letter dated July 29, 2011, to Troy Gordon, exp. from David Lee, Senior Review Engineer, Ministry of the Environment. Re: Financial Assurance Re-evaluation.
18. ECA application, dated May 28, 2015 by Ghislain Lacroix, President, C. Villeneuve Construction Co. Ltd. including all supporting information.
19. ECA No. A7313906 Kendall Wood Waste Landfill Site Final Closure Plan - Revised. Prepared by C. Villeneuve Construction Co. Ltd. Dated February 2, 2020.

Schedule "B" - Ground Water Monitoring Program

| Monitoring Location | Sampling Frequency | Parameters |
|---|---------------------------|--|
| OW3, OW4, OW5, OW8, OW9, OW11, OW12, OW14, and OW15 | Once every year | pH, Conductivity, Colour, TDS, DOC, Alkalinity, Chloride, Sulphate, Nitrate, Nitrite, Ammonia, TKN, Phenols, Petroleum Hydrocarbons (F1 to F4), Tannins, Lignins, Water levels |

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

Conditions 1(1), 1(2), 1(3), 1(6), 1(7), 1(8), 1(9), 1(10), 1(11), 1(12), 1(13), 1(22), 1(23), and 1(24) are to clarify the legal rights and responsibilities of the Owner and Operator under this Approval.

Conditions 1(4) and 1(5) are 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.

Condition 1(12) is to ensure that the Site is operated under the corporate name which appears on the application

form submitted for this approval and to ensure that the Director is informed of any changes.

Condition 1(14) is 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.

Conditions 1(15) and 1(16) are to ensure that the successor is aware of its legal responsibilities.

Conditions 1(17), 1(18), 1(19), and 1(20) clarify that the Part II.1 Director is an individual with authority pursuant to Section 197 of the Environmental Protection Act to require registration on title and provide any person with an interest in property before dealing with the property in any way to give a copy of the Approval to any person who will acquire an interest in the property as a result of the dealing.

Condition 1(21) is to ensure that appropriate Ministry staff has 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, the OWRA, the PA, the NMA and the SDWA.

Condition 1(25) clarifies what information may be subject to the Freedom of Information Act.

Condition 1(26) is to require Financial Assurance for this company 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.

Condition 2(1) is to clarify that the site is closed and waste is no longer permitted to be received at the site.

Conditions 2(2) and 2(3) are to specify pertinent Site and contact information and to ensure the Site is maintained in a secure manner.

Conditions 2(4) 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

Condition 2(5) is for the protection of public health and safety and minimization of the potential for damage from landfill gas, including methane.

Condition 3(1) is to provide the groundwater and surface water limits to prevent water pollution at the Site

Conditions 3(2) and 3(3) are included to require the Owner to demonstrate that the Site is performing as designed and the impacts on the natural environment are acceptable. Regular monitoring allows for the analysis of trends over time and ensures that there is an early warning of potential problems so that any necessary remedial/contingency action can be taken.

Conditions 3(4) and 3(5) are included to ensure the integrity of the groundwater monitoring network so that accurate monitoring results are achieved and the natural environment is protected.

Condition 3(6) is added to ensure the Owner has a plan with an organized set of procedures for identifying and

responding to potential issues relating to groundwater and surface water contamination at the Site's compliance point.

Conditions 3(7), 3(8), and 3(9) are included to streamline the approval of the changes to the monitoring plan.

Conditions 4(1) and 4(2) are to ensure that the Site is operated by properly trained staff in a manner which does not result in a hazard or nuisance to the natural environment or any person.

Conditions 5(1) and 5(2) are added to ensure that any complaints regarding landfill operations at this Site are responded to in a timely and efficient manner.

Condition 6(1) is to ensure the Owner immediately responds to a spill.

Conditions 6(2), 6(3), 6(4), and 6(5) are to ensure that the Owner notifies the Ministry forthwith of any spills so that an appropriate response can be determined.

Conditions 7(1), 7(2), 7(3), and 7(4) are to ensure that detailed records of Site inspections are recorded and maintained for inspection and information purposes.

Condition 7(5) is added to ensure that accurate waste records are maintained to ensure compliance with the conditions in this Approval, record keeping, annual reporting, the EPA and its regulations.

Conditions 7(6), and 7(7) are added 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.

Condition 8(1) is added to ensure that final closure of the Site is completed in an aesthetically pleasing manner, in accordance with Ministry standards, and to ensure the long-term protection of the health and safety of the public and the environment.

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). A7313906 issued on May 31, 1994 and all subsequently issued notices

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.

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 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 25th day of September, 2020



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

CF/

c: District Manager, MECP Timmins
William Anderson P. Eng., Chung & Vander Doelen Engineering Ltd.