

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 0865-BUY7L7

Issue Date: January 7, 2021

Kirkland Lake Gold Inc.
86 2nd Street, P.O. Box 1325
Cochrane, Ontario
P0L 1C0

Site Location: Detour Lake Project - 185 km from Cochrane via Highway 652
Cochrane Town, District of Cochrane, Ontario

*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:*

Description Section

A gold mining and processing facility, consisting of the following processes and support units:

- open pit gold mining operations;
- ore crushing and screening operations;
- material handling, stockpiling and transport;
- ore processing plant including:
 - grinding circuits;
 - gravity concentration and leaching;
 - carbon adsorption / desorption;
 - carbon regeneration;
 - electrowinning;
 - refining;
 - cyanide destruction; and
 - reagent preparation systems;
- *Equipment with Specific Operational Limits:*
 - *Waste Oil Heaters:* two (2) systems each containing three (3) atomizing type oil heaters, each firing waste-derived fuel at a maximum rate of 13.5 litres per hour, and a combined firing rate of 40.5 litres per hour, each exhausting the products of combustion into the atmosphere through an independent stack, having an exit diameter of 0.45 metre, extending 21.3 metres above grade;

- *WDF Tanks*:
 - two (2) used oil *WDF Oil Storage Tanks* located at the lube room, each having a maximum *WDF* storage capacity of 30,840 litres;
 - two (2) *WDF Supply Tanks*, each having a maximum waste-derived fuel storage capacity of 8,000 litres, which are used as a source of fuel for the *Waste Oil Heaters*;
 - one (1) *WDF Day Tank*, with a total waste-derived fuel storage capacity of 1,140 litres, with six waste-derived fuel heater supply lines located a minimum of 0.15 metre from the bottom of the tank with filtering waste-derived fuel through a 100 micron filter prior to the *WDF* being burned;

including the *Equipment* and any other ancillary and support processes and activities, operating at a *Facility Production Limit* of up to **32,850,000 tonnes of ore processed per year through the production plant**, discharging to the air as described in the *Original ESDM Report*.

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

1. "*ACB list*" means the document entitled "Air Contaminants Benchmarks (ACB) List: Standards, guidelines and screening levels for assessing point of impingement concentrations of air contaminants", as amended from time to time and published by the *Ministry* and available on a Government website;
2. "*Acceptable Point of Impingement Concentration*" means a concentration accepted by the *Ministry* as not likely to cause an adverse effect for a *Compound of Concern* that,
 - a. is not identified in the *ACB list*, or
 - b. is identified in the *ACB list* as belonging to the category "Benchmark 2" and has a concentration at a *Point of Impingement* that exceeds the concentration set out for the contaminant in that document.

With respect to the *Original ESDM Report*, the *Acceptable Point of Impingement Concentration* for a *Compound of Concern* mentioned above is the concentration set out in the *Original ESDM Report*;
3. "*Air Quality Monitoring Manual*" means the *Ministry* publication entitled "Operations Manual for Air Quality Monitoring in Ontario PIBS 6687e", dated March 2018, as amended;
4. "*Approval*" means this entire Environmental Compliance Approval and any

Schedules to it.;

5. "*ASTM*" means American Society for Testing and Materials;
6. "*Basic Comprehensive User Guide*" means the *Ministry* document titled "Basic Comprehensive Certificates of Approval (Air) User Guide" dated March 2011, as amended;
7. "*Batch*" means a quantity of *WDF* contained in a *WDF Storage Tank* at the time the *WDF Storage Tank* is sampled and a *Seal* is applied to the *WDF*;
8. "*Best Management Practices Plan*" means the document titled "Fugitive Dust Management Best Management Practices Plan (ENV-PLN-010)", dated January 2020 and prepared by the *Company*;
9. "*Company*" means **Kirkland Lake Gold Inc.** that is responsible for the construction or operation of the *Facility* and includes any successors and assigns in accordance with section 19 of the *EPA*;
10. "*Compound of Concern*" means a contaminant described in paragraph 4 subsection 26 (1) of *O. Reg. 419/05*, namely, a contaminant that is discharged from the *Facility* in an amount that is not negligible;
11. "*Description Section*" means the section on page one of this *Approval* describing the *Company's* operations and the *Equipment* located at the *Facility* and specifying the *Facility Production Limit* for the *Facility*;
12. "*Director*" means a person appointed for the purpose of section 20.3 of the *EPA* by the *Minister* pursuant to section 5 of the *EPA*;
13. "*District Manager*" means the District Manager of the appropriate local district office of the *Ministry*, where the *Facility* is geographically located;
14. "*Emission Summary Table*" means a table described in paragraph 14 of subsection 26 (1) of *O. Reg. 419/05*;
15. "*Environmental Assessment Act*" means the Environmental Assessment Act, R.S.O. 1990, c.E.18, as amended;
16. "*EPA*" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;
17. "*Equipment*" means equipment or processes described in the *ESDM Report*, this *Approval* and in the *Schedules* referred to herein and any other equipment or processes;
18. "*Equipment with Specific Operational Limits*" means any *Equipment* related to the thermal oxidation of waste or waste derived fuels, fume incinerators or any other *Equipment* that is specifically referenced in any published *Ministry* document that outlines specific operational guidance that must be considered by the *Director* in

issuing an *Approval*. In this *Approval* it means *Waste Oil Heaters, WDF Oil Storage Tanks, WDF Supply Tanks and WDF Day Tank* and related ancillary and support processes and activities;

19. "*ESDM Report*" means the most current Emission Summary and Dispersion Modelling Report that describes the *Facility*. The *ESDM Report* is based on the *Original ESDM Report* and is updated after the issuance of this *Approval* in accordance with section 26 of *O. Reg. 419/05* and the *Procedure Document*;
20. "*Facility*" means the entire operation located on the property where the *Equipment* is located;
21. "*Facility Production Limit*" means the production limit placed by the *Director* on the main product(s) or raw materials used by the *Facility*;
22. "*Log*" means a document that contains a record of each change that is required to be made to the *ESDM Report*, including the date on which the change occurred. For example, a record would have to be made of a more accurate emission rate for a source of contaminant, more accurate meteorological data, a more accurate value of a parameter that is related to a source of contaminant, a change to a *Point of Impingement* and all changes to information associated with a *Modification* to the *Facility* that satisfies Condition 2;
23. "*Minister*" means the Minister of the Environment, Conservation and Parks or such other member of the Executive Council as may be assigned the administration of the *EPA* under the Executive Council Act;
24. "*Ministry*" means the ministry of the *Minister*;
25. "*Modification*" means any construction, alteration, extension or replacement of any plant, structure, equipment, apparatus, mechanism or thing, or alteration of a process or rate of production at the *Facility* that may discharge or alter the rate or manner of discharge of a *Compound of Concern* to the air or discharge or alter noise or vibration emissions from the *Facility*;
26. "*Noise Screening Documents*" means the completed *Primary Noise Screening Method*, or the completed *Secondary Noise Screening Method*, with supporting information and documentation, as updated in accordance with Condition 5 of this *Approval*;
27. "*O. Reg. 419/05*" means Ontario Regulation 419/05, Air Pollution – Local Air Quality, as amended;
28. "*Original ESDM Report*" means the Emission Summary and Dispersion Modelling Report which was prepared in accordance with section 26 of *O. Reg. 419/05* and the *Procedure Document* by Caleb Vandenberg, Wood Environment and Infrastructure Solutions and dated April 2020, submitted in support of the application, and includes any changes to the report made up to the date of

issuance of this *Approval*;

29. "*Point of Impingement*" has the same meaning as in section 2 of *O. Reg. 419/05*;
30. "*Primary Noise Screening Method*" means the *Ministry* Primary Noise Screening Method form as described in the "Primary Noise Screening Method Guide", January 31, 2017, as amended;
31. "*Procedure Document*" means *Ministry* guidance document titled "Procedure for Preparing an Emission Summary and Dispersion Modelling Report" dated March 2018, as amended;
32. "*Processes with Significant Environmental Aspects*" means the *Equipment* which, during regular operation, would discharge one or more contaminants into the air in an amount which is not considered as negligible in accordance with section 26 (1) 4 of *O. Reg. 419/05* and the *Procedure Document*;
33. "*Publication NPC-207*" means the *Ministry* draft technical publication "Impulse Vibration in Residential Buildings", November 1983, supplementing the Model Municipal Noise Control By-Law, Final Report, published by the *Ministry*, August 1978, as amended;
34. "*Publication NPC-300*" means the *Ministry* Publication NPC-300, "Environmental Noise Guideline, Stationary and Transportation Sources – Approval and Planning, Publication NPC-300", August 2013, as amended;
35. "*Regulation 347*" means Ontario Regulation 347 R.R.O. 1990;
36. "*Schedules*" means the following schedules attached to this *Approval* and forming part of this *Approval* namely:
 - Schedule A - Supporting Documentation
37. "*Seal*" means a physical device, having a unique identifier, applied to a *WDF Storage Tank* and/or associated valves, which once applied must be removed in order to allow for the addition of material to the *WDF Storage Tank*, and furthermore must be broken to be removed;
38. "*Secondary Noise Screening Method*" means the *Ministry* Secondary Noise Screening Method form as described in the "Secondary Noise Screening Method Guide", January 31, 2017, as amended;
39. "*Toxicologist*" means a qualified professional currently active in the field of risk assessment and toxicology that has a combination of formal university education, training and experience necessary to assess contaminants;
40. "*WDF*" means waste-derived fuel as defined in *Regulation 347*;
41. "*WDF Oil Storage Tanks*" means the two (2) tanks each with a capacity of 30,840 litres, and associated valves, and piping containing used oil that is tested to meet

Regulation 347 WDF criteria that has been sampled and equipped with a *Seal*, when it is operated as the sole supply of *WDF* to *WDF Supply Tanks* which supplies *WDF* to the *WDF Day Tank* for *Waste Oil Heaters*;

42. "*Waste Oil Heaters*" means two (2) systems each equipped with a total of three atomizing type oil heaters, as described in the *Company's* application, this *Approval* and in the supporting documentation submitted with the application;
43. "*WDF Supply Tanks*" means the two (2) *WDF* storage tanks each with a total capacity of 8,000 litres, and associated valves and piping, containing *WDF* only, and are operated as the sole supply of *WDF* to the *WDF Day Tank*;
44. "*WDF Day Tank*" means the one (1) supply tank for the *Waste Oil Heaters* with a capacity of 1,140 litres, and associated valves and piping, containing *WDF* only; and
45. "*Written Summary Form*" means the electronic questionnaire form, available on the *Ministry* website, and supporting documentation, that documents the activities undertaken at the *Facility* in the previous calendar year.

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

1. Except as otherwise provided by this *Approval*, the *Facility* shall be designed, developed, built, operated and maintained in accordance with the terms and conditions of this *Approval* and in accordance with the following *Schedules* attached hereto:
 - Schedule A - Supporting Documentation

2. LIMITED OPERATIONAL FLEXIBILITY

1. Pursuant to section 20.6 (1) of the *EPA* and subject to Conditions 2.2 and 2.3 of this *Approval*, future construction, alterations, extensions or replacements are approved in this *Approval* if the future construction, alterations, extensions or replacements are *Modifications* to the *Facility* that:
 - a. are within the scope of the operations of the *Facility* as described in the *Description Section* of this *Approval*;
 - b. do not result in an increase of the *Facility Production Limit* above the level specified in the *Description Section* of this *Approval*; and

c. result in compliance with the performance limits as specified in Condition 4.

2. Condition 2.1 does not apply to,

a. the addition of any new *Equipment with Specific Operational Limits* or to the *Modification* of any existing *Equipment with Specific Operational Limits* at the *Facility*; and

b. *Modifications* to the *Facility* that would be subject to the *Environmental Assessment Act*.

3. Condition 2.1 of this *Approval* shall expire ten (10) years from the date of this *Approval*, unless this *Approval* is revoked prior to the expiry date. The *Company* may apply for renewal of Condition 2.1 of this *Approval* by including an *ESDM Report* that describes the *Facility* as of the date of the renewal application.

3. REQUIREMENT TO REQUEST AN ACCEPTABLE POINT OF IMPINGEMENT CONCENTRATION

1. Prior to making a *Modification* to the *Facility* that satisfies Condition 2.1.a and 2.1.b, the *Company* shall prepare a proposed update to the *ESDM Report* to reflect the proposed *Modification*.

2. The *Company* shall request approval of an *Acceptable Point of Impingement Concentration* for a *Compound of Concern* if the *Compound of Concern* is not identified in the *ACB list* as belonging to the category “Benchmark 1” and a proposed update to an *ESDM Report* indicates that one of the following changes with respect to the concentration of the *Compound of Concern* may occur:

a. The *Compound of Concern* was not a *Compound of Concern* in the previous version of the *ESDM Report* and

i. the concentration of the *Compound of Concern* exceeds the concentration set out for the contaminant in the *ACB list*; or

ii. the *Compound of Concern* is not identified in the *ACB list*; or

b. The concentration of the *Compound of Concern* in the updated *ESDM Report* exceeds the higher of,

i. the most recent *Acceptable Point of Impingement Concentration*, and

ii. the concentration set out for the contaminant in the *ACB list*, if the contaminant is identified in that document.

3. The request required by Condition 3.2 shall propose a concentration for the

Compound of Concern and shall contain an assessment, performed by a *Toxicologist*, of the likelihood of the proposed concentration causing an adverse effect at *Points of Impingement*.

4. If the request required by Condition 3.2 is a result of a proposed *Modification* described in Condition 3.1, the *Company* shall submit the request, in writing, to the *Director* at least 30 days prior to commencing to make the *Modification*. The *Director* shall provide written confirmation of receipt of this request to the *Company*.
5. If a request is required to be made under Condition 3.2 in respect of a proposed *Modification* described in Condition 3.1, the *Company* shall not make the *Modification* mentioned in Condition 3.1 unless the request is approved in writing by the *Director*.
6. If the *Director* notifies the *Company* in writing that the *Director* does not approve the request, the *Company* shall,
 - a. revise and resubmit the request; or
 - b. notify the *Director* that it will not be making the *Modification*.
7. The re-submission mentioned in Condition 3.6 shall be deemed a new submission under Condition 3.2.
8. If the *Director* approves the request, the *Company* shall update the *ESDM Report* to reflect the *Modification*.
9. Condition 3 does not apply if Condition 2.1 has expired.

4. PERFORMANCE LIMITS

1. Subject to Condition 4.2, the *Company* shall not discharge or cause or permit the discharge of a *Compound of Concern* into the air if,
 - a. the *Compound of Concern* is identified in the *ACB list* as belonging to the category “Benchmark 1” and the discharge results in the concentration at a *Point of Impingement* exceeding the Benchmark 1 concentration; or
 - b. the *Compound of Concern* is not identified in the *ACB list* as belonging to the category “Benchmark 1” and the discharge results in the concentration at a *Point of Impingement* exceeding the higher of,
 - i. if an *Acceptable Point of Impingement Concentration* exists, the most recent *Acceptable Point of Impingement Concentration*, and
 - ii. the concentration set out for the contaminant in the *ACB list*, if the contaminant is identified in that document.
2. Condition 4.1 does not apply if the benchmark set out in the *ACB list* has a

10-minute averaging period and no ambient monitor indicates an exceedance at a *Point of Impingement* where human activities regularly occur at a time when those activities regularly occur.

3. The *Company* shall, at all times, ensure that the noise emissions from the *Facility* comply with the limits set out in *Ministry Publication NPC-300*.
4. The *Company* shall, at all times, ensure that the vibration emissions from the *Facility* comply with the limits set out in *Ministry Publication NPC-207*.
5. The *Company* shall operate any *Equipment with Specific Operational Limits* approved by this *Approval* in accordance with the *Original ESDM Report* and Conditions 12, 13 and 14 in this *Approval*.

5. DOCUMENTATION REQUIREMENTS

1. The *Company* shall maintain an up-to-date *Log*.
2. No later than **March 31** in each year, the *Company* shall update the *ESDM Report* in accordance with section 26 of *O. Reg. 419/05* and shall update the *Noise Screening Documents* so that the information in the reports is accurate as of December 31 in the previous year.
3. The *Company* shall make the *Emission Summary Table* (see section 27 of *O. Reg. 419/05*) and the *Noise Screening Documents* available for examination by any person, without charge, by posting it on the Internet or by making it available during regular business hours at the *Facility*.
4. The *Company* shall, within three (3) months after the expiry of Condition 2.1 of this *Approval*, update the *ESDM Report* and the *Noise Screening Documents* such that the information in the reports is accurate as of the date that Condition 2.1 of this *Approval* expired.
5. Conditions 5.1 and 5.2 do not apply if Condition 2.1 has expired.

6. REPORTING REQUIREMENTS

1. Subject to Condition 6.2, the *Company* shall provide the *Director* no later than **June 30** of each year, a *Written Summary Form* to be submitted through the *Ministry's* website that shall include the following:
 - a. a declaration of whether the *Facility* was in compliance with section 9 of the *EPA, O. Reg. 419/05* and the conditions of this *Approval*;
 - b. a summary of each *Modification* satisfying Condition 2.1.a and 2.1.b that took place in the previous calendar year that resulted in a change in the previously calculated concentration at a *Point of Impingement* for any *Compound of Concern*.
2. Condition 6.1 does not apply if Condition 2.1 has expired.

7. OPERATION AND MAINTENANCE

1. The *Company* shall prepare and implement, not later than three (3) months from the date of this *Approval*, operating procedures and maintenance programs for all *Processes with Significant Environmental Aspects*, which shall specify as a minimum:
 - a. frequency of inspections and scheduled preventative maintenance;
 - b. procedures to prevent upset conditions;
 - c. procedures to minimize all fugitive emissions;
 - d. procedures to prevent and/or minimize odorous emissions;
 - e. procedures to prevent and/or minimize noise emissions; and
 - f. procedures for record keeping activities relating to the operation and maintenance programs.
2. The *Company* shall ensure that all *Processes with Significant Environmental Aspects* are operated and maintained in accordance with this *Approval*, the operating procedures and maintenance programs.

8. COMPLAINTS RECORDING AND REPORTING

1. If at any time, the *Company* receives an environmental complaint from the public regarding the operation of the *Equipment* approved by this *Approval*, the *Company* shall take the following steps:
 - a. Record and number each complaint, either electronically or in a log book. The record shall include the following information: the time and date of the complaint and incident to which the complaint relates, the nature of the complaint, wind direction at the time and date of the incident to which the complaint relates and, if known, the address of the complainant.
 - b. Notify the *District Manager* of the complaint within two (2) business days after the complaint is received, or in a manner acceptable to the *District Manager*.
 - c. Initiate appropriate steps to determine all possible causes of the complaint, and take the necessary actions to appropriately deal with the cause of the subject matter of the complaint.
 - d. Complete and retain on-site a report written within one (1) week of the complaint date. The report shall list the actions taken to appropriately deal with the cause of the complaint and set out steps to be taken to avoid the recurrence of similar incidents.

9. RECORD KEEPING REQUIREMENTS

1. Any information requested by any employee in or agent of the *Ministry* concerning the *Facility* 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 employee in or agent of the *Ministry*, upon request, in a timely manner.
2. Unless otherwise specified in this *Approval*, the *Company* shall retain, for a minimum of five (5) years from the date of their creation all reports, records and information described in this *Approval*, including,
 - a. a copy of the *Original ESDM Report* and each updated version;
 - b. supporting information used in the emission rate calculations performed in the *ESDM Reports*;
 - c. the records in the *Log*;
 - d. copies of each *Written Summary Form* provided to the *Ministry* under Condition 6.1 of this *Approval*;
 - e. records of maintenance, repair and inspection of *Equipment* related to all *Processes with Significant Environmental Aspects*;
 - f. all records related to *Best Management Practices Plan* as required by Condition 11 of this *Approval*;
 - g. all records required by Condition 14 of this *Approval*;
 - h. all records required by Condition 15 of this *Approval*; and
 - i. all records related to environmental complaints made by the public as required by Condition 8 of this *Approval*.

10. REVOCATION OF PREVIOUS APPROVALS

1. This *Approval* replaces and revokes all Certificates of Approval (Air) issued under section 9 *EPA* and Environmental Compliance Approvals issued under Part II.1 *EPA* to the *Facility* in regards to the activities mentioned in subsection 9(1) of the *EPA* and dated prior to the date of this *Approval*.

11. FUGITIVE DUST CONTROL

1. The *Company* shall implement the *Best Management Practices Plan* for the control of fugitive dust emissions resulting from the operation of the *Facility*. The *Company* shall update the *Best Management Practices Plan*s necessary or at the direction of the *District Manager*.
2. The *Company* shall record, either electronically or in a log book, each time a specific preventative and control measure described in the *Best Management Practices Plan*s implemented. The *Company* shall record, as a minimum:
 - a. the date when each emission control measure is installed, including a

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

12. WDF STORAGE, SAMPLING AND ANALYSIS

1. The *Company* shall direct *WDF* generated continuously or periodically as a result of regular on-site operations to the two (2) *WDF* supply tanks only. The *WDF* storage tank receiving *WDF* at any time shall be labelled as "*WDF Supply Tank*".
2. The *Company* shall analyze a Representative Sample of the *Batch* of *WDF* stored in the *WDF Supply Tank* that represents the composition of the contents of the *WDF Supply Tank*. The sample shall be taken in accordance with *Regulation 347*; "Industrial Waste Sampling Procedures Manual, 1989, PIBS Number 339" prepared by the Waste Management Branch of the *Ministry*; and the "Guide to the Collection and submission of Samples for Laboratory Analysis, 1989" prepared by the Laboratory Services Branch of the *Ministry*. The sample shall be one (1) vertical profile sample or one (1) composite sample of a mix of equal volume of grab samples taken from a minimum of three different vertical locations (bottom, middle and top).
3. The *Company* shall apply a *Seal* to the *WDF Supply Tank* immediately after a sample of the *Batch* of *WDF* has been taken for analysis. The unique identifier of each *Seal* applied to the *WDF Supply Tank* must correspond to the analysis of the *Batch* of *WDF* from which the representative sample was taken.
4. The *Company* shall submit the Representative Sample for analysis to an accredited laboratory. All analysis procedures shall be based on *ASTM* methods that have a minimum detection limit of 50 percent or less of the specified value (excluding flash point). The analysis shall be conducted to determine whether the representative sample meets the requirements of *WDF* as required by *Regulation 347*.
5. The *Company* shall demonstrate that the Representative Sample meets the requirements of *WDF* as required by *Regulation 347*, prior to directing *WDF* to the *WDF Day Tanks* which are used as a source of fuel to *Waste Oil Heaters*. The *WDF Supply Tank* equipped with a *Seal*, containing the *Batch*

of *WDF* which has been demonstrated to meet the criteria of *WDFs* required by *Regulation 347* shall be operated and labelled as "*WDF Supply Tank*".

6. The *Company* shall direct additional volume of *WDF* to the *WDF Supply Tank* only. Breaking of a *Seal* applied to the *WDF Storage Tank*, constitutes a new *Batch* of *WDF*. The *Company* shall repeat Conditions 12.1 through 12.5 upon breaking a *Seal*.
7. The *Company* shall operate with the designated *WDF Supply Tank* as the sole source of *WDF* to *WDF Day Tanks* which are used as a source of fuel to *Waste Oil Heaters*.
8. The *Company* shall locate the *WDF Supply tanks* and *WDF Day Tank* in the designated areas, as described in the application for this *Approval* and the supporting documentation listed in *Schedule A*.
9. The *Company* shall ensure that all *WDF* shall be stored in accordance with *Ministry* publication "Guidelines for Environmental Protection Measures at Chemical and Waste Storage Facilities", dated May 2007. *WDF* shall be segregated from other incompatible wastes and materials.

13. **WASTE DISPOSAL**

1. The *Company* shall dispose of all waste material collected for use as *WDF* which does not meet *WDF* criteria in *Regulation 347* by a *Ministry* approved waste hauler.

14. **WDF MONITORING AND RECORD KEEPING**

1. The *Company* shall record in writing the volumes of any waste materials collected for use as *WDF*, disposed of by a *Ministry* approved waste hauler, as well as the corresponding laboratory analysis and *Seal* applied to the *WDF Supply Tank* for the *Batch* of waste materials which did not meet *WDF* criteria as required by *Regulation 347*.
2. The *Company* shall monitor and record in writing the following information related to the samples of *WDF* taken from the *WDF Supply Tank* pursuant to the sampling and analysis requirements set out in Conditions 12.1 through 12.5 of this *Approval*:
 - a. Volume of the *WDF Supply Tank*;
 - b. Date of Representative Sample taken and date submitted for laboratory analysis;
 - c. Date and unique identifier of the *Seal* applied to the *WDF Supply Tank*, and the laboratory analysis for the corresponding *Batch* of *WDF*;
 - d. Comparison of the analytical results of the Representative Sample to the

- requirements of *WDF* as required by *Regulation 347*; and
- e. A log indicating the quantity of *WDF* burned between each date of sampling and/or maintenance, repair or inspection of the *Waste Oil Heaters*.
3. The *Company* shall monitor and record in writing the quantity of *WDF* burned by the *Waste Oil Heaters* by:
 1. Connecting an elapsed-time meter on the *Waste Oil Heaters* circuit that will indicate the total time that the *Waste Oil Heaters* is in operation and by multiplying the elapsed time by the design average fuel consumption rate for the *Waste Oil Heaters*, or
 2. Connecting a volumetric flow meter on the *Waste Oil Heaters* circuit that will indicate the volume of *WDF* burned in the *Waste Oil Heaters*, or
 3. By using an alternate procedure that the *Company* proposes and the *District Manager* authorizes in writing.

15. **AMBIENT AIR QUALITY MONITORING PROGRAM**

1. The *Company* shall carry out and maintain an ambient air quality monitoring program in accordance with the *Air Quality Monitoring Manual* at locations agreed to by the *District Manager* for the measurement of contaminants requested by the *District Manager* including but not limited to suspended particulate matter and metals (arsenic, chromium, cobalt, magnesium, cadmium, manganese, iron, lead and or an alternate metals list acceptable to the *District Manager*) by methods and equipment accepted by the *District Manager*.
2. The *Company* shall implement the ambient air quality monitoring program over a time period acceptable to the *District Manager*.
3. The *Company* shall submit the ambient air quality monitoring data and summary reports on the ambient air monitoring program as per the requirements of the *Air Quality Monitoring Manual* to the *District Manager*, or on an alternative frequency acceptable to the *District Manager*.
4. The *Company* shall update the ambient air quality monitoring program as necessary or at the direction of the *District Manager*.

SCHEDULE A

Supporting Documentation

1. Environmental Compliance Approval Application, dated April 14, 2020, signed by

Jennifer Wagner, VP Legal and Corporate Secretary and submitted by the *Company*;

2. Emission Summary and Dispersion Modelling Report, prepared by Caleb Vandenberg, Wood Environment and Infrastructure Solutions and dated April 2020; and
3. All additional information in support of the Environmental Compliance Approval Application, provided by Caleb Vandenberg, Wood Environment and Infrastructure Solutions and the *Company*.

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

1. **GENERAL**

Condition No. 1 is included to require the *Approval* holder to build, operate and maintain the *Facility* in accordance with the Supporting Documentation in Schedule A considered by the *Director* in issuing this *Approval*.

2. **LIMITED OPERATIONAL FLEXIBILITY, REQUIREMENT TO REQUEST AN ACCEPTABLE POINT OF IMPINGEMENT CONCENTRATION AND PERFORMANCE LIMITS**

Conditions No. 2, 3 and 4 are included to limit and define the *Modifications* permitted by this *Approval*, and to set out the circumstances in which the *Company* shall request approval of an *Acceptable Point of Impingement Concentration* prior to making *Modifications*. The holder of the *Approval* is approved for operational flexibility for the *Facility* that is consistent with the description of the operations included with the application up to the *Facility Production Limit*. In return for the operational flexibility, the *Approval* places performance based limits that cannot be exceeded under the terms of this *Approval*. *Approval* holders will still have to obtain other relevant approvals required to operate the *Facility*, including requirements under other environmental legislation such as the *Environmental Assessment Act*.

3. **DOCUMENTATION REQUIREMENTS**

Condition No. 5 is included to require the *Company* to maintain ongoing documentation that demonstrates compliance with the performance limits as specified in Condition 4 of this *Approval* and allows the *Ministry* to monitor ongoing compliance with these performance limits. The *Company* is required to have up to date *Noise Screening Documents* and an up to date *ESDM Report* that describes the *Facility* at all times and make the *Emission Summary Table* from that report and the *Noise Screening Documents* available to the public on an ongoing basis in order to maintain public communication with regard to the emissions from the *Facility*.

4. REPORTING REQUIREMENTS

Condition No. 6 is included to require the *Company* to provide a yearly *Written Summary Form* to the *Ministry*, to assist the *Ministry* with the review of the site's compliance with the *EPA*, the regulations and this *Approval*.

5. OPERATION AND MAINTENANCE

Condition No. 7 is included to require the *Company* to properly operate and maintain the *Processes with Significant Environmental Aspects* to minimize the impact to the environment from these processes.

6. COMPLAINTS RECORDING AND REPORTING PROCEDURE

Condition No. 8 is included to require the *Company* to respond to any environmental complaints regarding the operation of the *Equipment*, according to a procedure that includes methods for preventing recurrence of similar incidents and a requirement to prepare and retain a written report.

7. RECORD KEEPING REQUIREMENTS

Condition No. 9 is included to require the *Company* to retain all documentation related to this *Approval* and provide access to employees in or agents of the *Ministry*, upon request, so that the *Ministry* can determine if a more detailed review of compliance with the performance limits as specified in Condition 4 of this *Approval* is necessary.

8. REVOCATION OF PREVIOUS APPROVALS

Condition No. 10 is included to identify that this *Approval* replaces all Section 9 Certificate(s) of Approval and Part II.1 Approvals in regards to the activities mentioned in subsection 9(1) of the *EPA* and dated prior to the date of this *Approval*.

9. FUGITIVE DUST CONTROL

Condition No. 11 is included to emphasize that the *Equipment* must be maintained and operated according to a procedure that will result in compliance with the *EPA*, the regulations and this *Approval*.

10. WDF STORAGE, SAMPLING AND ANALYSIS

Condition No. 12 is included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the *Equipment with Specific Operational Limits*.

11. WASTE DISPOSAL

Condition No. 13 is included to require the *Company* to dispose of waste materials in a manner which does not result in a nuisance or a hazard to the health and safety of the environment or people.

12. WDF MONITORING AND RECORD KEEPING

Condition No. 14 is included to require the *Company* to keep records and to provide information to staff of the *Ministry* to assist with verification of compliance

with the *EPA*, the regulations and this *Approval*.

13. AMBIENT AIR QUALITY MONITORING PROGRAM

Condition No. 15 is included to require the *Company* to gather accurate information so that the environmental impact and subsequent compliance with the *EPA*, the Regulations and this *Approval* can be verified.

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 6778-8YKQV9 issued on January 10, 2013.

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

AND

The Minister of the Environment,
Conservation and Parks
777 Bay Street, 5th Floor
Toronto, Ontario

AND

The Director appointed for the purposes of
Part II.1 of the Environmental Protection Act
Ministry of the Environment, Conservation
and Parks

M5G 1E5

M7A 2J3

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**

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

DATED AT TORONTO this 7th day of January,
2021

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

RW/
c: District Manager, MECP Timmins District Office
Caleb Vandenberg, Wood Environment and Infrastructure Solutions