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

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 6567-5ADLUE

Issue Date: January 9, 2021

Regional Disposal Services Inc.
375 Gage Ave N
Hamilton, Ontario
L8L 7B1

Site Location: 375 Gage Avenue North
Hamilton City,
L8L 7B1

You have applied under section 20.2 of Part II.1 of the Environmental Protection Act , R.S.O. 1990, c. E. 19 (Environmental Protection Act) for approval of:

a waste disposal site

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

100% solid non-hazardous municipal waste limited to construction and demolition waste

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

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

"Approved Waste" means municipal waste as defined in Regulation 347, limited to construction and demolition waste including asbestos waste;

"Approval" means this Environmental Compliance Approval and any Schedules to it, including the application and supporting documentation listed in Schedule "A";

"Company" or "Owner" means any person that is responsible for the establishment or operation of the Site being approved by this Approval, and includes Regional Disposal Services Inc. , its successors and assigns;

"Director" means any Ministry employee pursuant to section 20.3 of Part II.1 of the Act;

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

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

"Municipality" means the City of Hamilton;

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

"Residual waste" means waste arising from processing of Approved Waste at the Site and destined for final disposal;

"Site" means the property, including but not be limited to the processing/storage building and the outdoor storage facility approved to operate under this Approval and

located at 375 Gage Avenue North in the City of Hamilton; and
"Trained" means knowledgeable regarding the terms, conditions and requirements of this Approval and Site operations, including occupational health and safety and environmental concerns pertaining to the waste to be processed, Site contingency plans and emergency procedures and relevant legislation.

You are hereby notified that this environmental compliance approval is issued to you subject to the terms and conditions outlined below:

TERMS AND CONDITIONS

GENERAL

1. (1) Except as otherwise provided by these Conditions, the Site shall be designed, developed, used, maintained and operated, and all facilities, equipment and fixtures shall be built and installed, in accordance with the application dated January 8, 2001 and the plans and specifications and supporting documentation listed in Schedule "A".
(2) 1. Construction, installation and initial implementation of the aspects of the Site described in Items 18 and 19 in Schedule "A" must be completed within 5 years of the later of:
 - (a) the date this Approval is issued; or
 - (b) if there is a hearing or other litigation in respect of the issuance of this Approval, the date that this hearing or litigation is disposed of, including all appeals.
2. This Approval ceases to apply in respect of the aspects of the Site noted above that have not been constructed or installed before the later of the dates identified in Condition 1(2)1 above.
2. The requirements specified in this Approval are the requirements under the Act .
The issuance of this Approval in no way abrogates the Company's legal obligations to take all reasonable steps to avoid violating other applicable provisions of the Act and other legislation and regulations and to obtain any other approvals required by legislation.
3. 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, the application of such requirement to other circumstances and the remainder of this Approval shall not be affected in any way.

4. The Company shall ensure compliance with all terms and conditions of this Approval. Any non-compliance constitutes a violation of the Act and is grounds for enforcement.
5. (a) The Company shall, forthwith upon request of the Director, District Manager, or Provincial Officer (as defined in the Act), furnish any information requested by such persons with respect to compliance with this Approval including but not limited to, any records required to be kept under this Approval; and

(b) In the event the Company provides the Ministry with information records, documentation or notification in accordance with this Approval (for the purposes of this condition referred to as "Information"),

(i) the receipt of Information by the Ministry;

(ii) the acceptance by the Ministry of the Information's completeness or accuracy;
or

(iii) the failure of the Ministry to prosecute the Applicant, or to require the Applicant to take any action, under this Approval or any statute or regulation in relation to the Information

shall not be construed as an approval, excuse or justification by the Ministry of any act or omission of the Company relating to the Information, amounting to non-

compliance with
this Approval or
any statute or
regulation.

6. The Company shall allow Ministry personnel, or a Ministry authorized representative(s), upon presentation of credentials, to:

(a) carry out any and all inspections authorized by Section 156, 157 or 158 of the Act , Section 15, 16, or 17 of the Ontario Water Resources Act , R.S.O. 1990, or Section 19 or 20 of the Pesticides Act , R.S.O. 1990, as amended from time to time, of any place to which this Approval relates; and,
without restricting the generality of the foregoing to:

(b) (i) enter upon the premises where the records required by the conditions of this Approval are kept;

(ii) have access to and copy, at any reasonable time, any records required by the Conditions of this Approval;

(iii) inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations required by the conditions of this Approval; and

(iv) sample and monitor at reasonable times for the purposes of assuring compliance with the conditions of this Approval.

7. (a) Where there is a conflict between a provision of any document referred to in Schedule "A", and the conditions of this Approval, the conditions in this Approval shall take precedence; and

(b) Where there is a conflict between documents listed in Schedule "A", the document bearing the most recent date shall prevail.

8. The Company shall ensure that all communications/correspondence made pursuant to this Approval include reference to the number of this Approval.

9. The Company shall notify the Director in writing of any of the following changes within thirty (30) days of the change occurring:

- (a) change of Company or operator of the Site or both;
- (b) change of address or address of the new Company;
- (c) change of partners where the Company or operator is or at any time becomes a partnership, and a copy of the most recent declaration filed under the Business Names Act , 1991 shall be included in the notification to the Director;
- (d) any change of name of the corporation where the Company or operator is or at any time becomes a corporation, and a copy of the most current "Initial Notice or Notice of Change" (form 1 or 2 of Ontario Regulation 182, Chapter C-39, R.R.O. 1990 as amended from time to time), filed under the Corporations Information Act shall be included in the notification to the Director; and
- (e) change in directors or officers of the corporation where the Company or operator is or at any time becomes a corporation,

and a copy of the most current "Initial Notice or Notice of Change" as referred to in 9(d). supra.

10. In the event of any change in ownership of the Site, the Company shall notify, in writing, the succeeding owner of the existence of this Approval, and a copy of such notice shall be forwarded to the Director.

11. 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.

12. (a) The Company shall ensure that the Site is not operated unless all approvals under Section 9 of the Act , where applicable, have been obtained.

(b) The Company shall ensure that the Site is not operated unless all approvals under Section 53 of the Ontario Water Resources Act , R.S.O. 1990, where applicable, have been obtained.

(c) The Company shall ensure that prior to construction and operation of the proposed facility, all necessary municipal approvals have been obtained.

SITE OPERATIONS

Receipt and Storage of Wastes and Recyclable Materials

13. The Site shall only accept solid non-hazardous waste, limited to Approved Waste generated within the geographic area of the Province of Ontario.

14. The total amount of Approved Waste accepted daily at the Site shall not exceed 1000 tonnes, with the amount of asbestos waste not to exceed 30 tonnes.

15. The total amount of waste, consisting of unprocessed and residual wastes and the total amount of the recyclable materials resulting from processing activities undertaken at the Site, currently approved to be stored at the Site, shall not exceed 550 tonnes.

16. (a) Prior to being accepted at the Site, all incoming Approved Waste shall be inspected by a trained employee(s) and shall only be permitted to enter the Site if the Site is approved to accept that type of waste.

(b) The Company shall prepare a protocol describing follow-up procedures after occurrences of delivery of unacceptable wastes, including putrescible waste. The follow-up shall be undertaken with both, the waste generator and the waste hauler.

(c) The protocol described in condition 16(b) shall be kept at the Site so that it can be made available for inspection by the Ministry staff, if necessary.

17. (a) All loading/unloading and pick-up of the Approved Waste, the residual waste and the recyclable materials, except for pick-up of the recyclable materials and asbestos waste approved to be stored outdoors, shall be undertaken within the confines of the processing building.

(b) The storage container for the recyclable materials approved to be stored outdoors shall be loaded within the confines of the building before being removed to the outdoor storage location to await pick-up.

18. (a) All unprocessed waste, residual waste, and recyclable materials except metals as excluded by condition 18(b), shall be stored within the confines of the processing building at all times.

(b) Recyclable materials approved for outdoor storage are limited to metals and waste wood. All other recyclable materials shall be stored within the confines of the building.

(c) The maximum outdoor storage capacity shall not exceed the following amounts:

(i) 150 tonnes of metals and the waste wood in ten (10) 40-cubic-yard roll-off containers or covered trailers with equivalent capacity;

(ii) 60 tonnes of the waste wood on the paved outdoor storage pad; and

(iii) 60 tonnes of asbestos waste stored in covered containers.

(d) The maximum storage duration of the waste wood on the paved outdoor storage pad shall not exceed seventy two (72) hours from the time of its receipt.

(e) The outdoor storage containers, the trailers, the outdoor storage pad and all other storage areas within the confines of the processing building shall be located as described by Items #12 and #14 of Schedule "A".

19. (a) Any putrescible waste commingled with the waste approved for processing at

the Site shall be removed from the Site by the end of the working day on which such a waste was received at the Site. If any environmental adverse effects occur as a result of the presence of putrescible waste, such waste shall be removed from the Site immediately.

(b) In the event that waste or recyclable materials cannot be removed from the Site and the total approved storage capacity is reached, the Company:

(i) shall cease accepting additional waste to ensure the total approved storage capacity does not exceed the maximum amount approved by this Approval;

(ii) submit to the District Manager a schedule for removal the stored waste within 5 days of reaching the storage capacity; and

(iii) remove stored waste in accordance with the schedule required in condition 19(b)(ii).

MANAGEMENT OF ASBESTOS WASTE

20. The following requirements apply to the management of asbestos waste:

(1) The Company shall ensure that signage is posted at the entrance to the Site displaying appropriate asbestos waste packaging and handling protocols in large, easily legible letters.

(2) The Company shall inspect all incoming asbestos waste loads to ensure that all asbestos waste received at the Site is enclosed in six-mil polyethylene bags free from punctures, tears or leaks. Any bag which is deficient shall be immediately over-packed in a six-mil polyethylene bag, along with additional over-packing as necessary to prevent further breakage.

(3) All asbestos waste received at the Site shall be stored in a secure manner inside a closed storage trailer. Trailers shall be covered/closed at all times except when depositing or removing asbestos waste.

(4) The Company shall ensure that all asbestos waste being placed into or removed from a storage trailer is handled in a manner that prevents asbestos waste from becoming airborne.

(5) No other waste shall be stored with asbestos waste.

(6) Both sides of every asbestos waste storage trailer on-site shall be labelled with the word "CAUTION" 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"

(7) The Company shall ensure that every person involved in the handling or management of asbestos waste is trained in the handling and clean-up asbestos waste, and shall take all precautions necessary to prevent asbestos waste from becoming airborne.

(8) The Company shall ensure that:

(a) any person managing loose asbestos waste or supervising the handling of that waste shall wear protective clothing and NIOSH-approved personal respiratory equipment while doing so;

(b) any person using NIOSH-approved personal respiratory equipment shall be trained in the proper use of such equipment, and that all such equipment has been properly fit tested;

(c) protective clothing that has been or is suspected of having been in contact with asbestos waste is disposed of as asbestos waste; and

(d) no disposable protective clothing is reused.

(9) The Company 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, NIOSH-approved personal respiratory equipment for protection against asbestos fibers, and HEPA vacuum(s).

(10) (a) In addition to the requirements of Condition 31 of this Approval, the Company shall conduct a daily inspection of the asbestos storage areas to ensure that no asbestos waste becomes airborne, or otherwise enters the natural environment, as a result of the following:

1. improper storage;
2. loss of integrity or damage to containment vessels;
3. exposure to weather; and
4. exposure to fire or fire hazards.

(b) Any deficiencies encountered during the daily inspections shall be recorded and promptly corrected to mitigate any possible impacts.

(11) The Company shall establish and implement an airborne asbestos fibre sampling and analysis plan at the Site in accordance with the following:

- (a) the sampling and analysis of airborne asbestos fibres shall be carried out in accordance with the NIOSH 7400 procedure set out in the NIOSH Manual of Analytical Methods;
- (b) all sampling of airborne asbestos fibres shall be conducted by a person possessing such special expert or professional knowledge or qualifications, or under the direction of a person possessing such special expert or professional knowledge or qualifications, such as a Certified Industrial Hygienist or a Registered Occupational Hygienist;
- (c) all sampling of airborne asbestos fibres shall be carried out during an active period of asbestos waste transfer at the Site;
- (d) the sampling of airborne asbestos fibres shall be carried out no less than once during any month in which asbestos waste is accepted at the Site until the sampling has been carried out during 6 separate months; and
- (e) all analytical results shall be submitted to the District Office in writing within 1 week of the date receiving the results along with a statement indicating whether the results show an exceedance of any Ontario Regulation 833, the Occupational Health & Safety Act, and if there are any exceedances, a description of the source and cause of the exceedance and what further steps will be taken to address the source and cause identified.

(12) (a) The Company shall ensure that all asbestos waste shipped from the Site shall be transported directly to a site approved to accept asbestos waste for final disposal, and not to a site where final disposal of the waste will not take place.

(b) The Company shall ensure that all asbestos waste leaving the Site is packaged in accordance with the Act and Reg. 347, and in a manner which is acceptable to the receiving site.

(c) Before shipping any asbestos waste from the Site, the Company shall notify the receiving site of the shipment's anticipated time of arrival.

(d) Before shipping any asbestos waste from the Site, the Company shall provide written notification to the District Office of the following:

1. the time and date of shipment;
2. the amount of asbestos waste shipped from the Site;
3. the name and ECA number of the company transporting the waste;
4. the name of the company receiving the waste;
5. the location and ECA number of the receiving site.

This requirement for notification may be waived through the written consent of the District Manager.

(e) The Company shall request written confirmation of receipt from the receiving site for each asbestos waste shipment. These written records shall be made available to any Provincial Officer upon request.

(13) As per Section 25(2)(h) of the Occupational Health and Safety Act, enforced by the Ontario Ministry of Labour, the Company shall take every precaution reasonable in the circumstances for the protection of a worker from exposure to asbestos in the workplace.

General Operations and Maintenance

21. (a) The Site's operating hours are restricted to 7 a.m. to 7 p.m. Monday to Saturday. During an emergency situation the Site may operate outside of these hours if approved in writing by the local Municipality.

(b) A copy of the written approval from the Municipality shall be provided to the District Manager as soon as available and prior to operating outside normal hours unless not practicable and only in an extreme emergency.

22. The Site shall be maintained in a secure manner, so that unauthorized persons cannot enter the Site. No waste shall be received at the Site except during operating hours when the Site is under the supervision of the trained Site personnel. When the Site is not in operation, the gate shall be securely locked.

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

(b) All doors in the processing building shall be closed at all times, except when necessary to allow vehicular traffic into and out of the processing building.

(c) The Company shall ensure that dusty loads of waste are sprayed with water to keep the amount of dust down.

24. (a) The Company shall operate and maintain the Site in accordance with a Site Operation and Maintenance Manual.

(b) The Company shall update the Site Operation and Maintenance Manual prior to the receipt of asbestos waste at the Site. This manual shall include, but not be limited to:

(i) incoming waste inspection procedures, including the follow-up on unacceptable waste delivered to the Site;
(ii) Site operation and maintenance procedures, as described in the supporting documentation listed in Schedule "A" or as required by conditions of this Approval;

(iii) schedule for inspections at the Site, including outdoor storage facilities, as required by condition 30, below;

(iv) waste and recyclable materials handling and storage procedures;

(v) Site clean-up schedule and proposed clean-up activities; and

(vi) the Contingency Plan as required by condition 33, below.

25. (a) If at any time problems such as odours, dust, litter, noise, vectors, vermin, rodents or other nuisances are generated at the Site, including all on-site roads, the Company shall take appropriate, immediate remedial action to eliminate the problems.

(b) If at any time, the Company receives complaints regarding the operation of the Site, the Company shall respond to these complaints according to the following procedure:

(i) the Company shall record each complaint on a formal complaint form entered in a sequentially numbered log book or an electronic file, according to condition 37, below; and

(ii) the Company 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.

26. If the inspections at the Site required by condition 31 confirm the presence of insects, vermin and/or rodents, the Company shall immediately hire a licensed exterminator to eliminate insects, vermin and/or rodents and prevent an adverse effect.

27. No scavenging of waste is permitted to take place at the Site.

28. No burning or incineration of any materials is permitted at the Site.

29. All wastewater from the Site shall be discharged in accordance with the Ontario Water Resources Act , R.S.O. 1990 or in accordance with the applicable local Municipal Sewer Use By-law.

30. A sign shall be posted in a prominent location at the Site entrance clearly stating the Company name, the hours of operation and staff contact name and telephone number to call in the event of an emergency or a complaint.

INSPECTIONS

31. (a) On each operating day, the Company shall conduct a visual inspection of the Site to ensure that any potential problems such as odours, dust, litter, noise, vectors, vermin, rodents and other nuisances are immediately observed and that any possibility of fire is minimized. As a minimum, the following areas are to be inspected:

- (i) security fence and the gate;
- (ii) outdoor storage container;
- (iii) indoor waste locations;
- (iv) condition of the tipping floor and the processing areas;
- (v) the wastewater level in the floor sump;
- (vi) Site perimeter including the landscaping for presence of blowing litter;
- (vii) entire Site area for presence of insects, vermin or rodents;

(b) Any deficiencies, that might negatively impact the environment detected during the inspections shall be promptly corrected.

EMERGENCY RESPONSE AND CONTINGENCY PLANS

32. (a) All emergency situations at the Site, including spills, fires and upsets shall be reported immediately to the Ministry's Spills Action Centre at (416) 325-3000 or 1-800-268-6060, and as soon as possible to the District Manager and to the Municipality;

(b) The spills shall be cleaned up and the waste material resulting from the spill shall be managed and disposed of in accordance with Regulation 347; and

(c) The Company shall record the details of the emergency situations in a dedicated log book or in a dedicated electronic file, in accordance with the records keeping condition 36, below.

33. A Contingency Plan shall be prepared and kept at the Site in a readily-available location. The following information is to be included in this Plan:

(a) emergency response procedures, including notification, duties of employees designated as emergency response personnel and use of spill clean-up equipment and fire fighting equipment;

(b) list of home and business phone numbers and work locations of all person(s) responsible for the Site;

(c) the list of emergency phone numbers for the local Ministry office, Ministry's Spills Action Centre, the Local Police, the Fire Department and the local Municipality spills number: 905-540-5188, or as changed by the Municipality;

(d) measures to prevent spills and fires, including daily inspections of the storage areas;

(e) maintenance and testing program for spill clean-up equipment and fire fighting equipment;

(f) procedures for groundwater and surface water protection; and

(g) training of Site operators and Site emergency response personnel.

34. All employees shall be trained with respect to the location and contents of the Contingency Plan and their role(s) in an emergency response situation.

RECORD KEEPING

35. The Company shall establish and maintain a written record of daily operations at the Site. This record shall be in the form of a log or a dedicated electronic file and it shall include as a minimum the following information:

(a) date of record;

(b) hours of operation;

(c) type, amount (in tonnes) and source of waste received;

(d) amount (in tonnes) and destination of waste, shipped from the Site;

(e) amount (in tonnes) of residual waste shipped from the Site;

(f) amount (in tonnes) and destination of recyclable materials, shipped from the Site;

(g) amount of waste and/or residual waste stored at the Site overnight;

(h) description of any floor cleaning activities undertaken; and

(i) all records required to be kept on the handling of asbestos waste further to Condition 20 above.

36. The Company shall establish and maintain a written record of all emergency situations at the Site. This record shall be in the form of a log or a dedicated electronic file and it shall include, as a minimum, the following information:

(a) type of the emergency situation and the resulting environmental impact;

(b) actions taken to address the impact;

(c) description of how any waste generated as a result of the emergency situation was stored and/or removed from the Site; and

(d) actions taken to prevent the re-occurrence of a similar emergency situation in the future.

37. The Company shall establish and maintain a written record of complaints received at the Site. This record shall be in the form of a log or a dedicated electronic file and it shall include, as a minimum, the following information:

(a) date and time of any complaints received at the Site and their nature;

(b) name, address and telephone number of the complainant;

(c) nature of the complaint;

(d) date and description of any remedial actions taken to address the received complaint; and

(e) actions taken to prevent the re-occurrence of a similar incident, in the future.

38. The Company shall establish and maintain a written record of the Site inspections as required by condition 31. This record shall be in the form of a log or a dedicated electronic file and it shall include, as a minimum, the following information:

(a) date and time of inspection;

(b) name, title and signature of trained personnel conducting the inspection; and

(c) a listing of all equipment, fencing, signs, areas, etc. inspected and any deficiencies observed; and

(d) recommendations for remedial action and the completion date of such action.

39. The Company shall establish and maintain a written record of all occurrences of receipt of unacceptable waste at the Site. This record shall be in the form of a log or a dedicated electronic file and it shall include, as a minimum, the following information:

(a) waste generator;

(b) type of unacceptable waste;

(c) amount of unacceptable waste;

(d) disposition of unacceptable waste; and

(e) actions taken by the Company to prevent recurrence.

40. The Company shall retain at the Site for a minimum of two (2) years from the date of their creation, or longer if requested in writing by the District Manager, all records and information relating to or resulting from the activities approved under this Approval, and shall make all records and information available at all times for inspection by a Provincial Officer.

ANNUAL REPORT

41. The Company shall prepare, and submit to the District Manager, by March 31 of each year, commencing with March 31, 2021, an annual report on the operation of the Site. The report shall cover the previous calendar year and include, as a minimum, the following information:

- (a) summary of the type and quantity of all incoming and outgoing wastes, including the quantity of residual waste resulting from the processing operations taking place at the Site, sources of the incoming wastes and destinations of the outgoing wastes and recyclable materials;
- (b) records pertaining to receipt of unacceptable waste at the Site;

- (c) any environmental and operational problems encountered during the operation of the Site or during the facility inspections and any mitigative actions taken;
- (d) summary of complaints received and actions taken to mitigate the cause of the complaint;
- (e) a statement as to the compliance with all conditions of this Approval and with the inspections, monitoring and reporting requirements of the conditions herein; and
- (f) any recommendations to minimize any potential environmental impacts that may result from the operation of the Site.

FINANCIAL ASSURANCE

42. (a) Within 20 days of the issuance of this Approval, the Owner shall submit Financial Assurance, as defined in Section 131 of the EPA, to the Director in the amount of \$36,840. 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-Site at any one time.

(b) Commencing on October 31, 2023 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 42(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 contingency plans required by the Director upon review of the closure plan and annual reports. The Financial Assurance shall be submitted to the Director within twenty (20) days of written acceptance of the re-evaluation by the Director.

(c) Commencing on October 31, 2021 and on an annual basis thereafter, 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 42(a) for each of the intervening years in which a re-evaluation is not required to be submitted to the Director under condition 42(b). The re-evaluation shall be made available to the Ministry, upon request.

(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 Company shall forthwith replace the Financial Assurance with cash.

CLOSURE PLAN

43. (a) The Company shall submit, for approval by the Director, a detailed, written Site Closure Plan for the Site six (6) months prior to closure of the Site. This plan must include, as a minimum, a description of the work that will be done to facilitate closure and clean-up of the Site and a schedule for completion of that work; and

(b) Within ten (10) days following closure of the Site, the Company shall notify the Director, in writing, that the Site is closed and that the Site Closure Plan has been implemented.

SCHEDULE "A"

This Schedule "A" forms part of this Provisional Approval of Approval:

1. Application for Approval of a Waste Disposal Site dated January 8, 2001, signed by William Bartels, Regional Disposal Services Inc., and the report entitled "Transfer/Processing Site Application, Gage Avenue, Hamilton", dated January 8, 2001 and prepared by Earth Tech Canada Inc.
2. Letter dated February 15, 2001 from John Muller, Earth Tech Canada Inc., to Margaret Wojcik, Ontario Ministry of Environment and Energy, providing additional

information on the proposal.

3. Letter dated April 30, 2001 from John Muller, Earth Tech Canada Inc., to Margaret Wojcik, Ontario Ministry of Environment and Energy, providing additional information on the proposal including the floor sump for collection of the floor washing wastewater and the revised operating hours.

4. Letter dated June 7, 2001 from John Muller, Earth Tech Canada Inc., to Margaret Wojcik, Ontario Ministry of Environment and Energy, providing additional information on the proposal.

5. Letter dated June 8, 2001 from John Muller, Earth Tech Canada Inc., to P.D. Mallard, City of Hamilton, providing additional information on the proposal.

6. Letter dated June 29, 2001 from John Muller, Earth Tech Canada Inc., to Margaret Wojcik, Ontario Ministry of Environment and Energy providing additional information on the proposal, including revised layout of the site, new orientation of the processing building and the proposed landscaping.

7. Facsimile transmission dated May 29, 2002, from John Muller, Earth Tech Canada Inc., to Margaret Wojcik, Ontario Ministry of Environment and Energy providing Corporation Profile Report on the new name of the company.

8. Application for a Provisional Certificate of Approval for a Waste Disposal Site dated November 3, 2005 signed by William Bartels, Regional Disposal Services Inc. and the following supporting information and documentation prepared by CH2M HILL Canada Limited:

(a) Report entitled "Application for Amendment to Waste Disposal Site Certificate of Approval - 375 Gage Avenue, Hamilton, On", dated October 2004.

9. Letter dated November 24, 2005 from John Muller, CH2M HILL Canada Limited, to Matthew Chisholm, Ontario Ministry of the Environment, providing the additional information on the proposal.

10. Letter dated December 5, 2005 from John Muller, CH2M HILL Canada Limited, to Matthew Chisholm, Ontario Ministry of the Environment, providing information on the additional public consultation.

11. Email dated June 26, 2006 (11:45 p.m.) from John Muller, CH2M HILL Canada Limited to Margaret Wojcik, Ontario Ministry of the Environment providing additional information on the proposal including the detailed description of wastes to be handled, the proposed dust minimization measures, the description of the waste wood outdoor storage pad, the site operating hours and the quotation for the cost of waste disposal for the purpose of the financial assurance calculations.

12. Email dated June 28, 2006 (11:49 a.m.) from John Muller, CH2M HILL Canada Limited to Margaret Wojcik, Ontario Ministry of the Environment providing a revised site plan.

13. Email dated November 16, 2006 (6:09 p.m.) from John Muller, CH2M HILL Canada

Limited to Margaret Wojcik, Ontario Ministry of the Environment providing additional information on the waste storage facility and waste storage duration.

14. Email dated December 7, 2007 (10:19 a.m.) from John Muller, CH2M HILL Canada Limited to Margaret Wojcik, Ontario Ministry of the Environment providing Figure 1, entitled "Waste Transfer/Processing Facility, Certificate of Approval Amendment" which shows a layout of the transfer/building.

15. Email dated January 2, 2008 (11:39 a.m.) from John Muller, CH2M HILL Canada Limited to Margaret Wojcik, Ontario Ministry of the Environment providing a conceptual design of the noise emissions abatement measures.

16. Letter dated March 21, 2011 from Mr. Ian Bartels, Authorized Signing Officer, Regional Disposal Services Inc., to The Director, Section 39, Environmental Protection Act, Ministry of the Environment, re: 6657-5ADLUE Condition 42 (b), including all supporting documentation.

17. Email dated October 2, 2019 from Mr. Jonathan van Leeuwen, Regional Disposal Services Inc. Re: Re-evaluation of Financial Assurance.

18. Environmental Compliance Approval application dated January 10, 2020 signed by Jeff Jans, including all supporting documentation.

19. Email dated September 4, 2020 from Justin Tayles, Wood Environment & Infrastructure Solution, to Andrew Neill, P.Eng., MECP, with additional information on: (1) receiving of asbestos waste; (2) storage of waste at the site; (3) maximum storage calculations and an explanation of the requested receiving and shipping rates; and (4) nuisance abatement.

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

1. Condition No. 1 is included 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.

2. Conditions Nos. 2- 4, inclusive, and 7 - 12, inclusive, and 29 are included to clarify the legal rights and responsibilities of the Company.

3. Conditions Nos. 5 and 6 are included to ensure that the appropriate Ministry staff have ready access to the information and the operations of the Site which are approved under this Approval. Condition No. 6 is supplementary to the powers of entry afforded a Provincial Officer pursuant to the Act, the *Ontario Water Resources Act* and the *Pesticides Act*, as amended.

4. Conditions Nos. 13 - 16, inclusive, are included to ensure that the types and amounts of waste received, processed and stored at the Site are in accordance with that as proposed by the Company and as approved by this Approval.

5. Condition No. 17 is included to ensure that the receipt and shipment off the Site of waste and other materials handled at the Site is done in a manner which does not result in a nuisance or a hazard to the health and safety of the environment or people.

6. Condition No. 18 is included to describe the storage facility approved by this Approval.

7. Condition No. 19 is included to describe the storage duration approved by this Approval.
8. Condition No. 20 is included to ensure that the management of asbestos waste is carried out in a manner that does not result in a nuisance or a hazard to the public or the environment.
9. Condition No. 21 is included to define the operating hours of the Site, as proposed by the Company and to provide an approval mechanism for operation outside these approved hours.
10. Condition No. 22 is included to minimize the risk of unauthorized entry and to ensure that the Site is only operated in presence of trained personnel to ensure proper management of waste.
11. Conditions Nos. 23-28, inclusive, and 30-34, inclusive, are included 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 25(b) is also included to ensure that the complaints are effectively and quickly resolved.
12. Conditions Nos. 35- 41, inclusive, are included to ensure that the Company keeps records of the appropriate information and submits an annual summary report to this Ministry so that the operation can be evaluated to ensure compliance with the Ministry's requirements.
13. Condition No. 42 is included 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.
14. Condition No. 43 is included 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.

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 6567-5ADLUE issued on November 25, 2019

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
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*** Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349, Fax: (416) 326-5370 or www.ert.gov.on.ca**

This instrument is subject to Section 38 of the Environmental Bill of Rights, 1993, that allows residents of Ontario to seek leave to appeal the decision on this instrument. Residents of Ontario may seek leave to appeal within 15 days from the date this decision is placed on the Environmental Registry. By accessing the Environmental Registry at <https://ero.ontario.ca/>, you can determine when the leave to appeal period ends.

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

DATED AT TORONTO this 9th day of January,
2021

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

AN/

c: District Manager, MECP Hamilton - District
Linda Lattner P. Eng. and Justin Tayles P. Eng., Wood Environment