

AMENDMENT TO ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER A230506

Notice No. 1

Issue Date: November 18, 2021

Miller Waste Systems Inc.
8050 Woodbine Ave
Markham, Ontario
L3R 2N8

Site Location: Miller Waste Systems Inc. o/a Miller Compost
1351 Bloomington Rd E
Richmond Hill City, Regional Municipality of York
L4E 1A2

You are hereby notified that I have amended Approval No. A230506 issued on February 3, 2021 for a waste disposal site (processing/composting), as follows:

I. The following definitions have been added:

"Compost" has the same meaning as set out in the document "Ontario Compost Quality Standards" dated July 25, 2012, as amended;

"Composting" has the same meaning as set out in the document "*Ontario Compost Quality Standards* " dated July 25, 2012, as amended. Furthermore, Composting must be conducted under controlled engineered conditions designed to decompose and stabilize organic matter. Exposure of organic matter under non-engineered conditions resulting in uncontrolled decay is not considered Composting. Composting consists of Thermophilic Composting and Curing;

"Compost Quality Standards" means the Ministry standards for Compost as set out in the document entitled "*Ontario Compost Quality Standards* " dated July 25, 2012, as amended;

"Feedstock" has the same meaning as set out in the Standards Document and means waste that contains the primary biologically decomposable organic materials used for the production of Compost. Supplements including additives, amendments and bulking agents are not feedstock;

"Finished Compost" within the context of this Approval, means the Organic Waste Mix that has been fully processed, that is Thermophilically Composted, Cured and screened, as required, and is ready for compliance testing, as required by this Approval;

"Immature Compost" within the context of this Approval, means the Organic Waste Mix which has been Thermophilically Composted only;

"Organic Waste Mix" means the mixture of the incoming Organic Waste and any Amendment Materials and/or additives approved in this Approval;

"Standards Document" means the Ministry's document entitled "*Ontario Compost Quality Standards*" dated July 25, 2012, as amended and including the following documents to provide operational guidance to accompany the "Ontario Compost Quality Standards":

- a. Guidance for Generators of Category AA, A, and B Compost and the Ontario Compost Quality Standards – Maturity, Effective July 1st, 2015, as amended;
- b. Guidance for Generators of Category AA, A, and B Compost and the Ontario Compost Quality Standards – Foreign Matter, Effective July 1st, 2015, as amended;
- c. Guidance for Generators of Category AA, A, and B Compost and the Ontario Compost Quality Standards – Sharp Foreign Matter, Effective July 1st, 2015, as amended;

"Thermophilic Composting" within the context of this Approval, means the aerobic decomposition of organic matter by microbial action conducted under controlled engineered conditions designed to decompose and stabilize organic matter and characterized by the predominance of active micro-organisms that thrive at a temperature range of 45 degrees Celsius to 75 degrees Celsius;

II. The following Conditions have been revised to read as follows:

- 13.1 The amount of waste received at the Site shall not exceed 70,000 tonnes per year, subject to the following:
- (1) The total amount of waste received for the purposes of composting shall not exceed 60,000 tonnes per year.

III. The following Conditions have been added:

18.7 Litter

- (1) The Owner shall:
 - a. take necessary steps to prevent the escape of litter from the Site;
 - b. pick up litter at the Site on a daily basis, or more frequently if necessary;
 - c. if necessary, erect litter fences around the areas causing a litter problem; and

- d. weekly, or more frequently as necessary, pick up off the Site litter which can reasonably be determined to have originated from the Site.

18.8 Run-off

- (1) The Owner shall conduct daily inspections to identify the areas of pooling run-off from the windrows and storage areas and manage the run-off in accordance with the supporting documentation in the attached Schedule "A".

18.9 Odour Management Plan

- (1) Within three (3) months from the date of this Approval, the Owner shall prepare and submit to the District Manager, an Odour Odour Management Plan.
- (2) The Odour Odour Management Plan shall include, but not be limited to,
 - a. analysis of aspects of operation of the Site that have a potential to release odours including fugitive odour emission sources;
 - b. protocols to detect and identify odours originating from the operation of the Site which may cause nuisance impacts;
 - c. a survey of sensitive receptors in the vicinity of the Site; and
 - d. the physical and procedural controls such as policies, standard operating/maintenance procedures, management strategies/program, operational controls, monitoring, measurement and corrective actions, and communication and management reviews required to achieve the objective of managing odour associated with the handling of waste at the Site in order to prevent or mitigate odour impacts on the nearby sensitive receptors and to ensure that odour mitigation techniques remain operational at optimal capacity throughout the applicable seasonal variability scenarios.
- (3) The Owner shall implement the procedures/recommendations of the Odour Management Plan.
- (4) The Owner shall,
 - a. update the Odour Management Plan. annually by the end of each calendar year, as necessary;
 - a. retain at the Site an electronic and hard copy of the most recent Odour Management Plan; and
 - a. upon request of staff of the Ministry provide in a format satisfactory to the staff of the Ministry a copy of the most recent Odour Management Plan.

18.10 Fugitive Dust Control

- (1) Within three (3) months from the date of this Approval, the Owner shall develop and submit to the District Manager, a Best Management Practices Plan for control of the fugitive dust emissions.
- (2) This Best Management Practices Plan shall include, but not be limited to:
 - a. identification of the main sources of the fugitive dust emissions such as:
 - i. on-site traffic;
 - ii. paved roads/areas;
 - iii. unpaved roads/areas;
 - iv. material stockpiles;
 - v. loading/unloading areas and loading/unloading techniques;
 - vi. material spills;
 - vii. material conveyance systems;
 - viii. general work areas; and
 - ix. various operations including but not limited to shredding, grinding, mixing or blending, waste processing, curing, screening etc.;
 - b. potential causes for high dust emissions resulting from these sources;
 - c. preventative and control measures in place or under development to minimize the likelihood of high dust emissions from the sources of fugitive dust emissions identified above. Details of the preventative and control measures shall include:
 - i. a description of the control equipment to be installed;
 - ii. a description of the preventative procedures to be implemented; and/or
 - iii. the frequency of occurrence of periodic preventative activities, including material application rates, as applicable;
 - d. an implementation schedule for the Best Management Practices Plan, including training of Site personnel; and
 - e. inspection and maintenance procedures and monitoring initiatives to ensure effective implementation of the preventative and control measures.
- (3) The Owner shall implement the procedures/recommendations of the Best Management Practices Plan.
- (4) The Owner shall,
 - a. update the Best Management Practices Plan annually by the end of each calendar year, as necessary;
 - a. retain at the Site an electronic and hard copy of the most recent Best Management Practices Plan; and

- a. upon request of staff of the Ministry provide in a format satisfactory to the staff of the Ministry a copy of the most recent Best Management Practices Plan.

18.11 Lights

- (1) Within three (3) months from the date of this Approval, the Owner conduct an assessment of the impacts from the lights at the Site on the nearest sensitive receptors and and submit the assessment to the District Manager for review. The assessment shall include a proposal to adjust the type of lighting and/or its locations, as appropriate.

28.0 CROSS-CONTAMINATION PREVENTION

- (1) The Owner may use equipment utilized in processing of incoming Organic Waste to process the Immature Compost / the Finished Compost and Compost provided that the equipment has been cleaned, as deemed necessary by the Owner, to prevent the Immature Compost / the Finished Compost and Compost from being contaminated by the incoming Organic Waste.
- (2) If the same equipment is used in production of different categories of Compost, the Owner shall ensure that the equipment is cleaned, as deemed necessary by the Owner, before its use in a different process.

29.0 COMPOST QUALITY STANDARDS

29.1 Metals in Feedstock

- (1) The Organic Waste received at the Site for Composting and approved in this Approval shall not exceed the maximum concentrations for metals listed in the Standards Document, for the applicable end-use of the Organic Waste processed at the Site.

29.2 Metals in Compost

- (1) Compost shall not contain regulated metals in a concentration that exceeds any of the limits set out in the Standards Document, for the applicable end-use of the Organic Waste processed at the Site.

29.3 Maturity

- (1) Compost shall comply with the maturity requirements set out in the Standards Document.

29.4 Pathogen Reduction

- (1) Compost shall comply with the pathogen reduction requirements set out in the Standards Document.

29.5 Total Foreign Matter Content and Sharp Foreign Matter

- (1) Compost shall comply with the total foreign matter content and sharp foreign matter content limits set out in the Standards Document, for the applicable end-use of the Organic Waste processed at the Site.

30.0 COMPOSTING PROCESS PARAMETERS

30.1 Moisture Requirements

- (1) The Owner shall target to have the moisture content of the Organic Waste Mix undergoing Thermophilic Composting between 45% and 55%.

30.2 Temperature Requirements

- (1) The Owner shall ensure that during the pasteurization phase of the Composting process, the temperature of the Composting Organic Waste Mix within the Composting windrows is as set out in the Standards Document.
- (2) During Thermophilic Composting, the temperature monitoring frequency shall be as set out in the Standards Document.
- (3) During Thermophilic Composting, the temperature readings shall be taken in accordance with this Approval.

30.3 Curing Requirements

- (1) The Owner shall not start the Curing of the Immature Compost until the Thermophilic Composting is completed as shown by a slower rate of decomposition, and lower biological activity level and lower oxygen demand which are characterized by:
 - a. reduced temperatures;
 - b. lower moisture content of the Immature Compost; and
 - c. lower odour generation than previous phases of the operation.
- (2) The Immature Compost shall be Cured as proposed in the supporting documentation included in the attached Schedule "A".
- (3) The minimum moisture level of the Immature Compost during the Curing process shall be as set out in the Standards Document.
- (4) The temperature in the Curing windrows shall be measured and recorded as required in the Standards Document.

30.4 Moisture Management

- (1) Stormwater pond water shall not be used to wet Compost after the Compost quality testing.
- (2) If stormwater pond water that has been shown to contain pathogens in excess of the following pathogen concentrations:
 - a. 1,000 CFU e.coli per 100 milliliter; and
 - b. 3 CFU Salmonella or MPN Salmonella per 100 milliliter.

is used to wet the Composting windrows after pasteurization, the Owner shall carry out additional two (2) sampling events to test for compliance with the pathogen reduction Compost Quality Standard.

31.0 COMPOSTING PROCESS MONITORING

31.1 Moisture Content

- (1) For the purpose of verifying the moisture content as required in this Approval, the Owner shall monitor the moisture within the Organic Waste Mix in the Composting and in the Curing windrows using the following methods:
 - a. the procedure(s) set out in the BNQ Industry Standard, CAN/BNQ 0413-200/2005 *Organic soil conditioners - Composts*; or
 - b. the squeeze test in accordance with the document entitled "Best Practices for Operating an Aerated Windrow Composting Facility", prepared by The Compost Council of Canada for Manitoba Conservation and Water Stewardship, dated 2016.
- (2) For the purpose of verifying compliance with the maturity standard moisture requirement, at least once per week the Owner shall test the moisture level within the Organic Waste Mix in the Curing windrows using the the procedure(s) set out in the BNQ Industry Standard, CAN/BNQ 0413-200/2005 *Organic soil conditioners - Compost*.
- (3) The Owner shall ensure that the moisture testing from Condition 31.1(2) is representative of the Curing conditions at any time.

31.2 Temperature

- (1) The temperature reading(s) in the Composting windrows shall be taken in the location(s) and depth(s) that will provide representative pasteurization temperature reading(s).
- (2) The Owner shall verify, the pasteurization temperature by manually measuring the temperature at a minimum depth of one (1) metre from the surface of the Organic Waste Mix during Composting. For any result below the pasteurization temperature of 55 degrees Celsius, the

Owner shall increase the temperature monitoring frequency to confirm that the Organic Waste Mix batch in the Composting windrow complies with the pathogen reduction Compost Quality Standards set out in this Approval.

- (3) Where continuous automated temperature monitoring is used, the compliance with the pasteurization requirement may be demonstrated on the basis of daily averages using all data points acquired over a twenty four (24) hour period.
- (4) During Curing, the temperature shall be measured at a minimum of six (6) representative sample locations and at a depth of one (1) metre from the surface of the Immature Compost.
- (5) The temperature of the Immature Compost in the Curing piles shall be measured and recorded at least weekly.

32.0 TESTING

32.1 General Requirements for the Organic Waste (Feedstock) and the Finished Compost

- (1) The Owner shall maintain a Quality Assurance/Quality Control (QA/QC) program for sampling and analysis of the Organic Waste (Feedstock) and the Finished Compost, as required by this Approval, and shall make the results of the QA/QC program, including all analyses carried out by an accredited laboratory service provider, available for inspection upon request by the District Manager, the Director and any Provincial Officer.
- (2) All required analytical results shall be from a laboratory service provider accredited by a Canadian Association for Laboratory Accreditation or equivalent.
- (3) The Owner shall contact their laboratory service provider for recommended sample preparation methods, sample containers, and other materials and instructions for sample collection and handling and shall prepare a written sampling protocol. This protocol shall be made available to the Ministry staff, upon request.
- (4) The Organic Waste (Feedstock) and the Finished Compost sampling/composite sample preparation and testing methods and procedures shall be as set out in Appendix 1 and Appendix 2 of the Standards Document.
- (5) The Owner shall prepare the number of the samples as required in the Standards Document, for the Laboratory Service Provider analysis to verify compliance with the applicable Compost Quality Standards.
- (6) Re-testing due to sample failure is as set out in the Standards Document.

32.2 Testing of Incoming Organic Waste (Feedstock)

- (1) The Owner shall ensure that all incoming Organic Waste (Feedstock) is characterized in accordance with the requirements of this Approval.
- (2) If the Owner relies on the published data for the well-studied/characterized Organic Waste (Feedstock), the latest published information shall be used to confirm that the Organic Waste (Feedstock) received at the Site and is destined to be processed into Compost at the Site complies with the feedstock standards from the Standards Document.
- (3) If the published data is not available or is not used to confirm compliance of the Organic Waste (Feedstock) with the feedstock standards from the Standards Document, the Owner shall:
 - a. establish the incoming Organic Waste (Feedstock) sampling/testing protocol as set out in Appendix 1 and Appendix 2 of the Standards Document;
 - b. sample and analyze representative samples of the Organic Waste (Feedstock) to be received at the Site prior to receipt at the Site;
 - c. sample the incoming Organic Waste (Feedstock) on a monthly basis for a period of one (1) year or until a consistent characteristic profile is obtained or for Organic Waste (Feedstock) which are received less frequently than monthly, sample each incoming load for a period of one (1) year, or until a consistent characteristics profile is obtained; and
 - d. sample the incoming Organic Waste (Feedstock) when the characteristics of the Organic Waste (Feedstock) have changed.
- (4) Notwithstanding the provisions of Conditions 32.2(1) through 32.2(3), the Owner shall periodically sample the incoming Organic Waste (Feedstock) for which consistent characteristics have been obtained to confirm that the Organic Waste (Feedstock) has not changed.

32.3 Sampling/Testing of the Finished Compost

- (1) Prior to being transferred from the Site for its intended end-use, the Owner shall:
 - a. establish the Finished Compost sampling/testing protocol as set out in Appendix 1 and Appendix 2 of the Standards Document and Condition 32.1; and
 - b. sample and analyze representative samples of the Finished Compost in accordance with the Finished Compost sampling/testing protocol.

33.0 COMPLIANCE or NON-COMPLIANCE WITH COMPOST QUALITY STANDARDS

33.1 Compliance with Compost Quality Standards

- (1) The Finished Compost is considered to be Compost when it complies with Compost Quality Standards for the intended end-use category.

33.2 Non-compliance with Compost Quality Standards

- (1) The Finished Compost which does not comply with the Compost Quality Standards, shall be managed in accordance with the Standards Document.

IV. Condition 15.3 has been deleted;

IV. Condition 18.5(2) has been deleted;

V. The following documents have been added to Schedule "A":

16. Application for an Environmental Compliance Approval submitted by Mike Kopansky, Miller Waste Systems Inc. dated April 29, 2021 and the following supporting documentation:
 - a. Electronic document entitled "Miller DO report Bloom Comp_Final_28April2021 v2.PDF"
 - b. Electronic document entitled "FIGURE 3 SITE PLAN April 19 2021.PDF"
 - c. Electronic document entitled "MMAH 2013 Notice of Decision and Mapping_Bloominton
 - d. Electronic document entitled "2021 02 22.WOPL consent letter.bloominton (003). PDF"
 - e. Electronic document entitled "Notice to Neighbours Bloom ECA Amendment_30April 2021.PDF"

VI. The following reasons have been added:

CROSS-CONTAMINATION PREVENTION

23. Condition 28.0 is included to ensure that waste management at different stages of Composting is undertaken in a way which results in production of Compost that complies with the requirements in this Approval and does not create a hazard to the environment or any person.

COMPOST QUALITY STANDARDS

24. Condition 29.0 is included to identify the Compost Quality Standards that must be met before the Finished Compost is considered suitable for its intended end-use.

COMPOSTING PROCESS PARAMETERS

25. Condition 30.0 is included to specify the Composting recipe criteria and the operating parameters required for a properly functioning Composting operation as per the consensus in the composting industry and the Ministry's requirements so that the operation for the Site does not result in an Adverse Effect or a hazard to the natural environment or any person.

COMPOSTING PROCESS MONITORING

26. Condition 31.0 is included to require the Owner to carry out the activities required to verify processing criteria required under this Approval.

TESTING

27. Condition 32.0 is included to ensure that the Owner accepts and processes only the waste types that are approved in this Approval and that those wastes that are appropriate for Composting. Condition 32.0 is also included to ensure that the Owner regularly tests the incoming Organic Waste and the Finished Compost to verify compliance with the Compost Quality Standards and compatibility of Compost produced at the Site with its proposed final end-use.

COMPLIANCE or NON-COMPLIANCE WITH COMPOST QUALITY STANDARDS

28. Condition 33.0 is included to clarify handling of the processed waste of variable characteristics as compared to the Compost Quality Standards.

The reasons for this amendment to the Approval are as follows:

The reasons for this Notice are to allow for an increase in the waste receipt and composting rates since more residents in the service area are working remotely and doing more yard work as a result of the COVID-19 pandemic and to update the Approval to include the current requirements for a composting site.

This Notice shall constitute part of the approval issued under Approval No. A230506 dated February 3, 2021, as amended.

In accordance with Section 139 of the *Environmental Protection Act*, you may by written notice served upon me and the Ontario Land Tribunal within 15 days after receipt of this notice, require a hearing by the Tribunal. Section 142 of the *Environmental Protection Act* provides that the notice requiring the hearing ("the Notice") 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:

Registrar*
Ontario Land Tribunal
655 Bay Street, Suite 1500
Toronto, Ontario
M5G 1E5
OLT.Registrar@ontario.ca

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 Ontario Land Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349 or 1 (866) 448-2248, or www.oltt.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 18th day of November, 2021



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

MW/

c: District Manager, MECP York-Durham
Mike Kopansky, Miller Waste Systems Inc.