

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 7363-9UPJAB
Issue Date: January 7, 2022

Fusion-Thetics Inc.
675 Woodside St
Fergus, Ontario
N1M 2M4

Site Location: 675 Woodside Street
Centre Wellington Township, County of Wellington

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:

Waste Disposal Site (Transfer and Processing Site)

to be used for the receipt, processing, and transfer of a maximum of 60 tonnes of waste per week and a maximum storage capacity of 65 tonnes at any time of non-hazardous municipal waste in the following categories:

coffee pods.

Note: Use of the site for any other type of waste is not approved under this environmental compliance approval, and requires obtaining a separate approval amending this environmental compliance approval.

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

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

"Director" means a person appointed by the Minister pursuant to section 5 of the EPA for the purposes of Part II.1 of the EPA.

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

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

"Manual" means a document or a set of documents that provide written instructions to staff of the Owner or Operator.

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

"Municipal Waste" means coffee pods only;

"Operator" means any person, other than the Owner's employees, authorized by the Owner as having the charge, management or control of any aspect of the Site.

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

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

"PA" means the Pesticides Act, R.S.O. 1990, c. P-11, as amended.

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

"Reg. 347" means the Regulation 347, R.R.O. 1990, made under the EPA, as amended.

"Residual Waste" means waste remaining after processing that is destined for final disposal or further processing at another approved waste disposal facility;

"Site" means the entire 0.65 ha Waste Disposal Site (Transfer/Processing) located at 675 Woodside St., Fergus, Township of Centre Wellington, County of Wellington, approved by this Approval; and

"Trained personnel" means personnel that have been trained through instruction and/or practice in accordance with this Approval.

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

TERMS AND CONDITIONS

1.0 Compliance

- 1.1 The Owner and Operator shall ensure compliance with all the conditions of this Approval and shall ensure that any person authorized to carry out work on or operate any aspect of the Site is notified of this Approval and the conditions herein and shall take all reasonable measures to ensure any such person complies with the same.

- 1.2 Any person authorized to carry out work on or operate any aspect of the Site shall comply with the conditions of this Approval.
- 1.3 The Site shall be operated and maintained at all times including management and disposal of all waste in accordance with the EPA, Reg. 347 and the conditions of this Approval. At no time shall the discharge of a contaminant that causes or is likely to cause an adverse effect be permitted.

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

- 2.1 Except as otherwise provided for in this Approval, the Site shall be designed, developed, built, operated and maintained in accordance with the application for this Approval, dated July 03, 2014, and the supporting documentation listed in Schedule "A".

3.0 Interpretation

- 3.1 Where there is a conflict between a provision of any document, including the application, referred to in this Approval, and the conditions of this Approval, the conditions in this Approval shall take precedence.
- 3.2 Where there is a conflict between the application and a provision in any documents listed in Schedule "A", the application shall take precedence, unless it is clear that the purpose of the document was to amend the application and that the Ministry approved the amendment.
- 3.3 Where there is a conflict between any two documents listed in Schedule "A", other than the application, the document bearing the most recent date shall take precedence.
- 3.4 The requirements of this Approval are severable. If any requirement of this Approval, or the application of any requirement of this Approval to any circumstance, is held invalid or unenforceable, the application of such requirement to other circumstances and the remainder of this Approval shall not be affected thereby.

4.0 Other Legal Obligations

- 4.1 The issuance of, and compliance with, this Approval does not:
- (1) relieve any person of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement including, but not limited to:
 - (a) obtaining site plan approval from the local municipal authority;
 - (b) obtaining all necessary building permits from the local municipal authority;
 - (c) obtaining approval from the Chief Fire Prevention Officer, local municipal authority: or
 - (2) limit in any way the authority of the Ministry to require certain steps be taken or to require the Owner and Operator to furnish any further information related to compliance with this Approval.

5.0 Adverse Effect

- 5.1 The Owner and Operator shall take steps to minimize and ameliorate any adverse effect on the natural environment or impairment of water quality resulting from the Site, including such accelerated or additional monitoring as may be necessary to determine the nature and extent of the effect or impairment.
- 5.2 Despite an Owner, Operator or any other person fulfilling any obligations imposed by this Approval, the Owner, Operator or any other person remains responsible for any contravention of any other condition of this Approval or any applicable statute, regulation, or other legal requirement resulting from any act or omission that caused the adverse effect to the natural environment or impairment of water quality.

6.0 Change of Owner

- 6.1 The Owner shall notify the Director in writing, and forward a copy of the notification to the District Manager, within thirty (30) days of the occurrence of any changes:
- (i) the ownership of the Site;
 - (ii) the Operator of the Site;
 - (iii) the address of the Owner or Operator;
 - (iv) the partners, where the Owner is or at any time becomes a partnership and a copy of the most recent declaration filed under the Business Names Act, R.S.O. 1990, c. B-17 shall be included in the notification; and
 - (v) the name of the corporation where the Owner is or at any time becomes a corporation, other than a municipal corporation, and a copy of the most current information filed under the Corporations Information Act, R.S.O. 1990, c. C-39 shall be included in the notification.
- 6.2 No portion of this Site shall be transferred or encumbered prior to or after closing of the Site unless the Director is notified in advance and sufficient financial assurance is deposited with the Ministry to ensure that these conditions will be carried out.
- 6.3 In the event of any change in ownership of the Site, other than change to a successor municipality, the Owner shall notify the successor of and provide the successor with a copy of this Approval, and the Owner shall provide a copy of the notification to the District Manager and the Director.

7.0 Financial Assurance

- 7.1 The Owner shall maintain Financial Assurance, as defined in Section 131 of the Act, in the amount of Seven Thousand, One Hundred and Twenty Five Dollars (\$7,125). This Financial Assurance shall be in a form acceptable to the Director and shall provide sufficient funds for the analysis, transportation, Site clean-up, monitoring and disposal of all quantities of waste on the Site at any one time.

- 7.2 Commencing on October 31, 2023 and at intervals of three (3) thereafter, the Owner shall submit to the Director, a re-evaluation of the amount of Financial Assurance to implement the actions required under Condition 7.1. The re-evaluation shall include an assessment based on any new information relating to the environmental conditions of the Site and shall include the costs of additional monitoring and/or implementation of contingency plans required by the Director upon review of the closure plan and annual reports. The Financial Assurance must be submitted to the Director within ten (10) days of written acceptance of the re-evaluation by the Director.
- 7.3 Commencing on October 31, 2020, the Owner shall prepare and maintain at the Site an updated re-evaluation of the amount of Financial Assurance required to implement the actions required under Condition 7.1 for each of the intervening years in which a re-evaluation is not required to be submitted to the Director under Condition 7.2. The re-evaluation shall be made available to the Ministry, upon request.
- 7.4 The amount of Financial Assurance is subject to review at any time by the Director and may be amended at his/her discretion. If any Financial Assurance is scheduled to expire or notice is received, indicating Financial Assurance will not be renewed, and satisfactory methods have not been made to replace the Financial assurance at least sixty (60) days before the Financial Assurance terminates, the Financial Assurance shall forthwith be replaced by cash.

8.0 Inspections

- 8.1 No person shall hinder or obstruct a Provincial Officer from carrying out any and all inspections authorized by the OWRA, the EPA, or the PA, of any place to which this Approval relates, and without limiting the foregoing:
- (a) to enter upon the premises where the approved works are located, or the location where the records required by the conditions of this Approval are kept;
 - (b) to have access to, inspect, and copy any records required to be kept by the conditions of this Approval;
 - (c) to inspect the Site, related equipment and appurtenances;
 - (d) to inspect the practices, procedures, or operations required by the conditions of this Approval; and
 - (e) to sample and monitor for the purposes of assessing compliance with the terms and conditions of this Approval or the EPA, the OWRA or the PA.

9.0 Information and Record Retention

- 9.1 Any information requested, by the Ministry, concerning the Site and its operation under this Approval, including but not limited to any records required to be kept by this Approval shall be provided to the Ministry, upon request, in a timely manner.

- 9.2 The receipt of any information by the Ministry or the failure of the Ministry to prosecute any person or to require any person to take any action, under this Approval or under any statute, regulation or other legal requirement, in relation to the information, shall not be construed as:
- (a) an approval, waiver, or justification by the Ministry of any act or omission of any person that contravenes any term or condition of this Approval or any statute, regulation or other legal requirement; or,
 - (b) acceptance by the Ministry of the information's completeness or accuracy.
- 9.3 All records required by the conditions of this Approval must be retained on Site for a minimum period of two (2) years from the date of their creation.
- 9.4 Any information relating to this Approval and contained in Ministry files may be made available to the public in accordance with the provisions of the Freedom of Information and Protection of Privacy Act, R.S.O. 1990, C. F-31.

SITE OPERATIONS

10.0 Service Area

- 10.1 The Site is approved to accept waste generated only in North America.

11.0 Approved Waste Types

- 11.1 The Owner shall only accept solid non-hazardous municipal waste as follows:
- (i) Coffee pods.
 - (ii) IC&I waste
- 11.2 The Site is prohibited from accepting:
- (a) All other types of waste without the approval from the Director;
 - (b) Subject waste which includes hazardous waste, liquid industrial waste and other liquid waste.
- 11.3
- (a) The Owner shall ensure that all waste is visually inspected prior to acceptance at the Site to ensure that only approved waste types are received at the Site
 - (b) If any incoming waste load is known to, or is discovered to, contain unacceptable waste, that load shall not be accepted at the Site and isolated from the other waste and returned to the client that generated it
 - (c) If any unacceptable waste is discovered on the Site, that waste shall be immediately be disposed of in accordance with the Act and Reg. 347.

12.0 Approved Waste Quantities and Storage

- 12.1 The amount of solid non-hazardous municipal waste received at the Site shall not exceed

60 tonnes per week;

- 12.2 The amount of solid non-hazardous municipal waste (processed and unprocessed) stored at the Site shall not exceed 65 tonnes, at any time;
- 12.3 Coffee pods shall not be stored outdoor at any time at the facility.
- 12.4 Coffee pods shall be the only waste that is processed on the Site.
- 12.5 In the event the waste cannot be transferred from the Site, the Owner shall cease accepting waste and shall ensure the total amount of waste on Site does not exceed the maximum quantity approved under Condition 12.2;
- 12.6 All waste received at and generated by the Site must be classified, managed and disposed of in accordance with the Act and Reg. 347;
- 12.7 The Owner shall ensure that all processing of waste are conducted indoors at all times; and
- 12.8 Notwithstanding Condition 12.6, loading and unloading of waste may occur outdoor and storage, as required by Conditions 12.2 and 12.3. Separated recyclable, such as metals and plastics that is baled and wrapped, may also be stored on the outside of the facility in covered bins for a maximum of 90 days.
- 12.9 Solid Non-hazardous waste from industrial, commercial, and institutional generators (IC&I) shall be received and stored temporarily at the Site. The management of e-waste is subject to the Electrical and Electronic Equipment Regulation (O.Reg 522/20)
- 12.10 IC&I waste shall be transferred to a licensed e-waste recycler.
- 12.11 Waste must be stored in accordance with Section 3.3.2 of the Ontario Fire Code. Each building must have a main aisle with a minimum width of 2,4 metres extending the length of each storage pile in all three buildings.
- 12.12 The facility must have a sprinkler system, and the storage of soil must comply with the following:
 - (a) The area of individual storage pile shall not exceed 1000m²
 - (b) Clearance between sprinkler head deflectors and the tops of piles shall not be less than 457mm
- 12.13 Waste shall be stored at the transfer facility for no more than 30 days. In the event that the company contracted to accept the waste cannot do so in a timely manner, the site manager shall take measures to have the waste removed and transported to another approved facility.

13.0 Hours of Operation

- 13.1 The Site shall operate 24 hours per day, 7-days per week however, no outdoor/yard operations

(such as waste receipt, storage/stockpile relocation and shipping) shall be conducted between the hours of 7pm and 7am.

14.0 Signs and Security

14.1 The Owner shall install a sign at the main entrance/exit to the Site on which legibly displays the following information:

- (1) the name of the Site and Owner;
- (2) the number of this Approval;
- (3) the telephone number for the Ministry's Spill Action Centre;
- (4) the operating hours of the Site;
- (5) a twenty-four (24) hour telephone number that can be used to reach the Owner or Operator in the event of a complaint or an emergency; and
- (6) the type of waste that is approved for receipt at the Site.

14.2 The Owner and Operator shall operate and maintain the Site in a secure manner, with access to the Site regulated and perimeter of the Site secured by fencing or natural features. During non-operating hours, the Site entrance and exit gates shall be locked and the Site shall be secured against access by unauthorized persons.

14.3 The Site shall be equipped with fire and security alarm systems.

14.4 There shall be no queuing or parking of trucks that are waiting to enter this Site.

15.0 Nuisance Control

15.1 The Owner 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;

15.2 The Owner shall ensure that the loads of all vehicles entering or leaving the Site are secured and that the exterior of the vehicles are clear of dirt or other contaminants; and

15.3 The Owner shall ensure that the floor of the Site is cleaned on a regular basis.

16.0 Storm Water Management

16.1 The Owner shall manage all discharges from the Site, including storm water run-off, in accordance with appropriate Municipal, Provincial and/or Federal legislation, regulation and by-laws.

17.0 Site Inspections and Maintenance

- 17.1 The Owner shall conduct, on a weekly basis as a minimum, a visual inspection of the Site to ensure security and cleanliness.
- 17.2 The Owner shall develop and implement a preventative maintenance program for all on-site equipment associated with the managing of waste. The preventative maintenance program shall be available for inspection by a Provincial Officer upon request.

18.0 Spills and Emergency Response and Reporting

- 18.1 (a) All spills, as defined by the EPA, shall be immediately reported to the Ministry's Spills Action Centre at 1-800-268-6060 and shall be recorded in a written log or an electronic file format, and include the following information:
- (i) the type and amount of material spilled;
 - (ii) source and cause of spill;
 - (iii) a description of how the material was cleaned up and stored;
 - (iv) the location and time of final disposal, if any; and
 - (v) remedial measures taken to prevent future spills of the same nature.
- 18.1 (b) The Owner shall submit to the District Manager a written report within three (3) days outlining the nature of the spill, remedial measure(s) taken and the measure(s) taken to prevent future occurrences at the Site.
- 18.2 Prior to the receipt of waste at the Site, the Owner shall have in place an emergency response plan. The plan shall include, but is not limited to:
- (a) emergency response procedures to be undertaken in the event of an accident, injury, medical emergency, spill or fire;
 - (b) a list of equipment available in the event of the above listed emergencies
 - (c) a notification protocol with names and telephone numbers of persons to be contacted, including:
 - (i) Owner's personnel;
 - (ii) the Ministry Spills Action Centre and District Office,
 - (iii) the local fire department and other emergency responders;
 - (iv) the local Ministry of Labour office;
 - (v) waste management companies available to assist in the event of a spill.
- 18.3 A copy of the emergency response plan shall be kept in a location at the Site which is readily available to staff.
- 18.4 The Owner shall ensure that:
- (a) the equipment and materials outlined in the emergency response plan are in a good state of repair, fully operational and immediately available; and
 - (b) all operating personnel are fully trained in the equipment and materials' use and in the

procedures to be employed in the event of an emergency.

18.5 The Owner shall review the emergency response plan on an annual basis as a minimum. In particular the Owner shall verify that the contact information required by Condition 18.2 (c) are up to date.

19.0 Training

19.1 The Owner shall ensure that all staff having access to the Site are trained, through instruction and practice, in the following:

- (a) terms, conditions and operating requirements of this Approval;
- (b) operation and management of the Site ;
- (c) an outline of the responsibilities of the Site personnel;
- (d) environmental concerns pertaining to the wastes accepted at the Site;
- (e) receiving and recording procedures;
- (f) storage, handling, sorting, sampling and shipping procedures;
- (g) occupational health and safety concerns pertaining to the waste received;
- (h) relevant waste management legislation, including but not limited to Reg. 347; and,
- (i) procedures to be followed in the event of an emergency situation.

20.0 Complaints

20.1 If at any time, the Owner receives complaints regarding the operation of the Site, the Owner shall respond to these complaints according to the following procedure:

- (a) The Owner shall make a record of each complaint including the following information:
 - (i) the date;
 - (ii) the nature of the complaint;
 - (iii) the name, address and the telephone number of the complainant if the complainant will provide this information;
 - (iv) activities occurring during the time of the complaint; and
 - (v) meteorological conditions.
- (b) The Owner, upon notification of the complaint, shall immediately notify the Ministry's Guelph District Office of the complaint, or the Ministry's Spills Action Centre if the complaint is received after the Guelph District Office's normal operating hours and initiate appropriate steps to determine all possible causes of the complaint, proceed to take the necessary actions to eliminate the cause of the complaint and forward a formal reply to the complainant and the Guelph District Office; and
- (c) The Owner shall complete and retain on-site a report written within five (5) business days of the complaint date, listing the actions taken to resolve the complaint and any recommendations for remedial measures, and managerial or operational changes to reasonably avoid the recurrence of similar incidents. A copy of the report shall be provided to the Guelph District Office within three (3) business days of completion.

21.0 Record Keeping

- 21.1 The Owner shall maintain a daily record either electronically or in a log book which shall include the following information:
- (i) the type, date, source, and quantity of all waste received at the Site;
 - (ii) the date, type, quantity and destination of all waste transferred from the Site;
 - (iii) a record of any waste refusals which shall include: generator information, carrier information, waste description, amounts, reasons for refusal and actions taken;
 - (iv) a running total of the amount of waste received at the Site for the calendar year and a calculation of the average daily amount of waste that has been received at the Site for the calendar year;
 - (v) a running total of the amount of residual waste that has been transferred from the Site for final disposal for the calendar year and a calculation of the average daily amount of residual waste that has been transferred from the Site for final disposal for the calendar year;
 - (vi) a calculation of the total quantity of waste at the end of each operating day;
 - (vii) a record of the inspections required by Condition 17.0;
 - (viii) a record of any spills or process upsets at the Site, the nature of the spill or process upset and the action taken for the clean up or correction of the spill, the time and date of the spill or process upset, and for spills, the time that the Ministry and other persons were notified of the spill in fulfilment of the reporting requirements in the EPA; and
 - (ix) Upon request by the District Manager, the Owner shall produce and provide a written report which covers any requested time period and any or all information outlined in Condition 20.0.

22.0 Annual Report and Recycling Plant Procedure

- 22.1 By March 31 of each year, the Owner shall prepare and retain on-site an annual report covering the previous calendar year. Each report shall include, as a minimum, the following information:
- (a) a summary of the quantity of all incoming and outgoing wastes;
 - (b) any environmental and operational problems, that could negatively impact the environment, encountered during the operation of the Site and during the facility inspections;
 - (c) any mitigative actions taken during the course of the previous calendar;
 - (d) a summary of any complaints received and actions taken to resolve the complaints;

- (e) a statement as to compliance with all Conditions of this Approval and with the inspection and reporting requirements of the Conditions herein; and
- (f) all other information as outlined in Section 4.6 of the Design & Operations Report.

23.0 Closure Plan

- 23.1 (a) The Owner shall submit, for approval by the Director, a written closure plan four (4) months prior to the permanent closure of the Site. This plan must include, as a minimum, a description of the work that will be done to facilitate closure and a schedule for completion of that work; and,
- (b) Within ten (10) days after closure of the Site , the Owner must notify the Director, in writing, that the Site is closed and that the closure plan has been implemented.

SCHEDULE "A"

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

1. Application for a new Environmental Compliance Approval for a Waste Disposal Site, dated July 3, 2014 and signed by Duane Burnett, President, Fusion-Thetics, including the Design & Operations Report, all letters, attachments, drawings, reports and appendices associated with the Application. Technical contact was signed by James Hollingsworth, R.J. Burnside & Associates.
2. Email, dated April 16, 2015, from James Hollingsworth, R.J. Burnside & Associates, confirming on site tonnages.
3. Email, with attached letter, dated April 20, 2015, from James Hollingsworth, R.J. Burnside & Associates, with the recalculation of the Financial Assurance.
4. Email, dated April 22, 2015, from James Hollingsworth, R.J. Burnside & Associates, clarifying tonnages to be received at the site.
5. Email, dated June 12, 2015, from Duane Burnett, President, Fusion-Thetics Inc., with attached list of tenants and notification letter sent to the tenants.
6. Email, dated June 26, 2015, from Duane Burnett, President, Fusion-Thetics Inc., clarifying tonnages to be stored outdoor at the site.
7. Email, dated July 13, 2015, from Duane Burnett, President, Fusion-Thetics Inc., outlining initiatives taken to address complaint received against his site.
8. Email, dated June 2, 2020, sent to Lynette Armour, MECP Provincial Officer, Guelph District Office, for the review of the financial assurance.
9. Application for an amendment to an existing ECA dated on April 2021, and signed by Duane Burnett, President, Fusion-Thetics, including the Design & Operations Report, all letters, attachments, drawings, reports and appendices associated with the Application. Technical contact was signed by John Nicholson.

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

The reason for Conditions 1, 4, 5, 7, 9 and 22 is to clarify the legal rights and responsibilities of the Owner under this Approval.

The reasons for Conditions 2, 11, 13, 14, 15, 17 and 22 is to ensure that the Site is designed, operated, monitored and maintained in accordance with the application and supporting documentation submitted by the Owner, and not in a manner which the Director has not been asked to consider.

The reason for Condition 3 is to clarify how to interpret this Approval in relation to the application and supporting documentation submitted by the Owner.

The reason for Condition 6.1 is to ensure that the Site is operated under the corporate name which appears on the application form submitted for this approval. The Director must be informed of any changes in Site ownership.

The reason for Condition 6.2 is to restrict potential transfer or encumbrance of the Site without the approval of the Director. Transfer of encumbrance can be made only on the basis that it will not endanger compliance with this Approval.

The reason for Condition 6.3 is to ensure that subsequent owners of the Site are informed of the terms and conditions of this Approval. This also applies to all supporting documentation listed in Schedule "A".

The reason for Condition 7 is to ensure that sufficient funds are available to the Ministry to carry out all expected closure activities and any contingencies.

The reason for Condition 8 is to ensure that appropriate Ministry staff have ready access to the Site for inspection of facilities, equipment, practices and operations required by the conditions in this Approval. This condition is supplementary to the powers of entry afforded a Provincial Officer pursuant to the EPA and OWRA.

The reason for Condition 9 is to ensure the availability of records and drawings for inspection and information purposes.

The reason for Conditions 10 and 11 is to specify the approved areas from which waste may be accepted at the Site and the types and amounts of waste that may be accepted for disposal at the Site, based on the Owner's application and supporting documentation

The reason for Conditions 11 and 12 is to ensure that the quantities of waste received at the Site are in accordance with that approved under this Approval based on the Owner's application and supporting documentation and ensure that waste is stored in a proper safe manner.

The reason for Condition 13 is to specify the hours of operation of the Site based on the Owner's application and supporting documentation.

The reason for Condition 15 is to ensure that the Site is operated in a manner which does not result in a nuisance or a hazard to the health and safety of the environment or people.

The reason for Conditions 9, 17 and 21 is to ensure that accurate records are maintained to ensure compliance with the conditions in this Approval, the EPA and its regulations.

The reason for Conditions 18 and 23 is to ensure that the Owner follows a plan with an organized set of procedures for identifying and responding to unexpected but possible problems at the Site.

The reason for Condition 18 is to ensure that the Owner notifies the Ministry forthwith of any spills as required in Part X of the EPA so that appropriate spills response can be determined.

The reason for Condition 19 is to ensure that the Owner's staff are properly trained in the operation of the equipment used at the Site and in emergency response procedures.

The reason for Condition 20 is to ensure that complaints are properly and quickly resolved and that complaints and follow-up actions have been documented.

The reason for Condition 21 is to ensure proper records are maintained at the site at all times.

The reason for Condition 22 is to ensure that the Site maintains key operational documents to prove to the Ministry that the site is being operated and maintained at the highest standards.

The reason for Condition 23 is to ensure that the Site is closed in accordance with Ministry standards, and to protect the health and safety of the environment.

**Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s).
7363-9UPJAB issued on November 3, 2020**

In accordance with Section 139 of the *Environmental Protection Act*, you may by written notice served upon me, the Ontario Land 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 ("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 Minister of the Environment,
Conservation and Parks
777 Bay Street, 5th Floor
Toronto, Ontario
M7A 2J3

and

The Director appointed for the purposes of
Part II.1 of the *Environmental Protection Act*
Ministry of the Environment,
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

* **Further information on the 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.olt.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 7th day of January, 2022



Mohsen Keyvani, P.Eng.

Director

appointed for the purposes of Part II.1 of the
Environmental Protection Act

MS/

c: District Manager, MECP Guelph
John Nicholson, Environmental Business Consultants