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

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 6558-C5SNMG

Issue Date: September 16, 2021

EnviroSystems Incorporated
1100 Burloak Dr, No. 500
Burlington, Ontario
L7L 6B2

Site Location: 1579 Burlington Street East
Hamilton City,
L8H 3L2

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 and processing of the following types of waste:

subject waste, limited to waste paints and coatings

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 entire Environmental Compliance Approval document, issued in accordance with the EPA, and includes any schedules to it, the application and the supporting documentation listed in Schedule "A";

“Director” means any Ministry employee appointed in writing by the Minister pursuant to section 5 of the EPA as a Director for the purposes of Part V 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 the Environmental Protection Act, R.S.O. 1990, C.E-19, as amended;

"Fire Safety Plan" means a Fire Safety Plan for the Site that is deemed to have been found acceptable by the local fire service authority;

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

“municipal waste” means municipal waste as defined in Reg. 347;

"OWRA" means the Ontario Water Resources Act, R.S.O. 1990, c. O.40, as amended;
"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 EnviroSystems Incorporated, its successors and assigns;
"PA" means the Pesticides Act, R.S.O. 1990, c. P-11, as amended from time to time;
"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 the PA;
"Reg. 347" means Regulation 347, R.R.O. 1990, General - Waste Management, made under the EPA, as amended from time to time;
"residual waste" means waste that is destined for final disposal or further processing at another approved waste disposal facility;
"Site" means the waste disposal site (transfer and processing) located at 1579 Burlington Street East, Hamilton, Ontario;
"subject waste" means subject waste as defined in Reg. 347;
"Trained personnel" means competent personnel that have been trained through instruction and/or practice in accordance with the conditions of this Approval.

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

TERMS AND CONDITIONS

1.0 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, Modify and Maintain in Accordance

2.1 (1) Except as otherwise provided by this Approval, the Site shall be designed, developed, built, operated and maintained in accordance with the application for this Approval dated May 25, 2021 and the supporting documentation listed in the attached Schedule "A".

(2) 1. Construction and installation of the aspects of the Site described 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 2.1(2)1 above.

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 Building Services Division;
- (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:

- (1) the ownership of the Site;
- (2) the Operator of the Site;
- (3) the address of the Owner or Operator;
- (4) 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
- (5) 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. 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 (1) Within twenty (20) days of issuance of the Approval, the Owner shall submit financial assurance, as defined in Section 131 of the EPA, to the Director in an amount no less than \$113,237.00. This financial assurance shall be in a form acceptable to the Director and shall provide sufficient funds for the analysis, transportation, and disposal of all waste permitted on-site at any one time, and for the clean-up and monitoring of the Site as necessary to prevent environmental impacts.

(2) Commencing on March 31, 2024, and every three (3) years thereafter, the Owner shall provide to the Director a re-evaluation of the amount of the financial assurance to facilitate the actions required under Condition 7.1(1). Additional financial assurance, if required, must be submitted to the Director within twenty (20) days of written acceptance of the re-evaluation by the Director.

(3) The amount of financial assurance is subject to review at any time by the Director and may be amended at their discretion.

(4) If any financial assurance is scheduled to expire or notice is received, indicating financial assurance will not be renewed, and satisfactory methods have not been made to replace the financial assurance at least sixty (60) days before the financial assurance terminates, the Owner shall forthwith replace the financial assurance with cash.

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:

- (1) 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;
- (2) to have access to, inspect, and copy any records required to be kept by the conditions of this Approval;
- (3) to inspect the Site, related equipment and appurtenances;
- (4) to inspect the practices, procedures, or operations required by the conditions of this Approval; and
- (5) 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:

- (1) 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
- (2) 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 five (5) 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.

10.0 Service Area and Hours of Operations.

10.1 Only waste generated within the geographical boundaries of North America shall be accepted at the Site.

10.2 Waste may be received and processed at the Site 24 hours per day, 7 days per week, unless otherwise limited by municipal by-laws.

11.0 Signage and Security

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

- (1) the name of the Site and Owner;
- (2) the number of this Approval;
- (3) a twenty-four (24) hour telephone number that can be used to reach the Owner in the event of a complaint or an emergency; and
- (4) the type of waste that is approved for receipt at the Site.

11.2 The Owner shall operate and maintain the Site in a secure manner. During non-operating hours, the Site entrances and exits shall be locked, the Site shall be secured against access by unauthorized persons, and the Site shall be monitored for intrusions and fire incidents.

12.0 Approved Waste Types

12.1 The Owner may only accept the following categories of subject waste at the Site:

(1) liquid industrial waste and hazardous waste, limited to waste paints and coatings (Waste Class Nos. 145 and 263, as described in the Ministry's New Ontario Waste Classes dated January 1986).

12.2 (1) The Owner shall ensure all incoming loads are inspected by a trained attendant to ensure only waste approved under this Approval is received at this Site.

(2) The following wastes shall not be processed or mixed at the Site, but shall be immediately sorted for transfer to an approved site for disposal in accordance with the EPA and Reg. 347:

1. containers lacking labels and/or identifying markings;
2. containers larger than 30 litres;
3. mildew resistant waste paints and coatings;
4. waste paints and coatings exhibiting unusual characteristics, including (but not limited to) unusual odours, appearance, viscosity, and/or visible separation.

(3) If any unapproved waste is discovered on-site, that waste shall be segregated and disposed of promptly in accordance with the EPA and Reg. 347.

12.3 (1) Waste paints or waste coatings transferred by a generator and destined for a site (including this Site) at which the waste is to be used in an ongoing manufacturing process for the production of paints or coatings, if the process does not involve the combustion of the waste and the paints or coatings that are produced are not used as fuel, are exempt from Part V of the EPA in accordance with Section 3(2)8 of Reg. 347.

(2) Notwithstanding Condition 12.3(1) above, the Owner shall ensure that all such waste paints or coatings are managed at this Site in a manner that does not result in a nuisance, an adverse effect or a hazard to human health or the environment, and that the storage of all such waste paints or coatings is carried out in accordance with any restrictions as described in applicable building permits or as imposed by the local fire service authority.

13.0 Approved Waste Quantities

13.1 The amount of waste received at the Site shall not exceed 50,000 litres per day.

13.2 The amount of waste present at the Site at any one time, including unprocessed waste, in-process waste, processed waste and residual waste shall not exceed 820,000 litres at any one time.

13.4 In the event that residual waste and/or processed waste cannot be transferred from the Site, the Owner shall cease accepting any additional waste until normal shipping operations can resume.

14.0 Waste Storage

14.1 Waste shall be stored in accordance with the current Design and Operations Report, and at a minimum the Owner shall ensure that all activities related to the unloading, processing, storage and other handling of incoming waste, in-process waste, processed waste and residual waste are conducted indoors such that wind blown litter, dust and odour do not result in a nuisance or an adverse effect.

14.2 The Owner shall ensure that all waste on-site is managed, stored and shipped from the Site in a manner that prevents the release of contaminants to the natural environment and minimizes the risk of fires, explosions and other hazards, and shall otherwise be carried out in accordance with any restrictions as described in applicable building permits or as imposed by the local fire service authority. All subject waste on-site, including waste received under Condition 12.3(1) that would otherwise be considered subject waste, shall be stored in accordance with the Ministry's "Guidelines for Environmental Protection Measures at Chemical and Waste Storage Facilities" dated May 2007, as amended from time to time.

15.0 Processing

15.1 No waste management processes other than the following shall be carried out at the Site:

- (1) the receipt, storage and transfer of waste listed in Condition 12 above;
- (2) the processing of latex-based waste paints and coatings in accordance with Item 1 of Schedule "A"; and
- (3) the sorting and repackaging of lab packs containing waste paints and coatings.

15.2 Notwithstanding Condition 15.1(3) above, repackaging of lab packs containing unapproved waste may be carried out to satisfy the requirements of Condition 12.2(3) above. The repackaged lab packs shall be segregated and managed separately from all other wastes on-site, and shall be disposed of promptly in accordance with the EPA and Reg. 347.

16.0 Procedures Manual and Preventative Maintenance

16.1 A procedures manual specific to the Site shall be prepared no later than 6 months from the date of issuance of this Approval, and shall be maintained current at all times and kept at the Site in central location that is accessible to Site personnel. The procedures manual shall contain detailed standard operating procedures relating to all aspects of the handling and processing of waste at the Site including contingency procedures to be followed in the event of equipment malfunction, a labour disruption, transportation disruption, inability of receiving sites to accept waste or other business disruption to the operation.

16.2 No later than 7 months from the date of issuance of this Approval, the Owner shall develop and implement a preventative maintenance program for all on-site equipment associated with the handling and processing of waste. The preventative maintenance program shall be available on Site for inspection by a Provincial Officer

upon request.

17.0 Design and Operations Report

17.1 The Owner shall ensure that the Design and Operations Report listed in Item 1 of Schedule "A" is retained at the Site, kept up to date, and made available for inspection by Ministry staff upon request. The Design and Operations Report shall describe current Site operations as reflected in the conditions of this Approval, and shall contain at a minimum the information specified for a waste processing site as described in the most recent version of the Ministry publication "Guide for Applying for Approval of Waste Disposal Site" as it applies to this Site.

18.0 Nuisance Control

18.1 (1) The Owner shall operate and maintain the Site such that dust, odours, vectors, litter, vibration, noise and traffic do not create a nuisance or an adverse effect.

(2) The Owner shall ensure that all doors on the building are kept closed during normal hours of operation, except as necessary during the movement of waste and processed materials into and out of the building or to allow for adequate ventilation.

18.2 If at any time vectors, birds or other pests become a nuisance, the Owner shall develop a pest control plan, satisfactory to the District Manager, which shall detail all practical steps that the Owner shall implement to control pests at the Site.

18.3 If at any time litter becomes a nuisance, the Owner shall develop a litter control plan, satisfactory to the District Manager, which shall detail all practical steps that the Owner shall implement to control litter at the Site.

18.4 If at any time dust becomes a nuisance, the Owner shall develop a dust control plan, satisfactory to the District Manager, which shall detail all practical steps that the Owner shall implement to control dust at the Site.

18.5 (1) If at any time odours are generated at the Site resulting in complaints, the Owner shall take appropriate remedial actions immediately to eliminate the cause of the problem. Appropriate actions may include the removal of waste from the Site and temporary stoppage of all operations until the problem has been rectified and measures have been undertaken to prevent future occurrence.

(2) If in the event that the District Manager has determined odours to be a persistent cause of nuisance or adverse effect at the Site the Owner shall prepare and submit to the District Manager an Odour Monitoring Program that is designed to detect and identify any odours originating from the operation of the Site which may cause nuisance impacts. The Odour Monitoring Program shall include a survey of sensitive receptors in the vicinity of the Site and shall outline all operational controls, monitoring, measurement and corrective actions, and communication and management reviews required to achieve the objective of managing odour at the Site in order to prevent or mitigate any odour impacts on the nearby sensitive receptors.

18.6 The Owner shall ensure that there is no queuing or parking of trucks that are waiting to enter this Site on any roadway that is not a distinct part of this Site.

19.0 Stormwater Management

19.1 The Owner shall manage all discharges from this Site, including sanitary and stormwater runoff, in accordance with appropriate municipal, provincial and/or federal

legislation, regulations and by-laws.

20.0 Site Inspections

20.1 Trained Personnel shall carry out a visual inspection of the entire Site (including all waste handling facilities, stormwater management facilities, buildings and grounds) each day the Site is in operation to ensure that:

- (1) the Site is secure;
- (2) the operation of the Site is not the cause of any nuisances or adverse effects as described in Condition 18 above;
- (3) the operation of the Site is not causing any adverse effects on the environment; and
- (4) the Site is being operated in compliance with this Approval.

20.2 Any deficiencies discovered as a result of an inspection carried out under Condition 20.1 shall be remedied immediately. Operations shall be temporarily ceased as necessary in order to carry out required remedial actions.

20.3 A record of the daily inspections shall be kept in the daily log book that includes the following information:

- (1) the name and signature of person that conducted the inspection;
- (2) the date and time of the inspection;
- (3) a list of any deficiencies discovered;
- (4) any recommendations for action; and
- (5) the date, time and description of actions taken.

21.0 Complaints

21.1 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:

(1) The Owner shall record and number each complaint, either electronically or in a log book, and shall include the following information:

- (a) the nature of the complaint;
- (b) the name, address and the telephone number of the complainant if the complainant will provide this information;
- (c) the time and date of the complaint;
- (d) weather conditions at the time of the complaint; and
- (e) site operations being carried out at the time of the complaint.

(2) The Owner shall inform the District Manager of the complaint forthwith.

(3) The Owner 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.

(4) The Owner shall provide the District Manager with a report written within 1 week 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.

22.0 Spill Prevention, Control & Countermeasures Plan

22.1 The Owner shall develop, implement and maintain a Spill Prevention, Control & Countermeasures Plan for the Site. The Spill Prevention, Control & Countermeasures Plan shall include, but not necessarily be limited to, the following:

- (1) emergency response procedures to be undertaken in the event of a spill or process upset, including specific clean up methods for each different type of waste the Site is approved to accept;
- (2) a list of equipment and spill clean up materials available in case of an emergency;
- (3) contingency procedures to be followed in the event of equipment malfunction, a labour disruption, transportation disruption, inability of receiving sites to accept waste or other business disruption to the operation; and
- (4) notification protocol with names and telephone numbers of persons to be contacted, including persons responsible for the Site, the Ministry's District Office and Spills Action Centre, the local municipal fire department, the local municipal authority, the local Medical Officer of Health, the Ministry of Labour, and the names and telephone numbers of waste management companies available for emergency response.

22.2 No later than 6 months from the date of issuance of this Approval, the Owner shall provide a copy of the Spill Prevention, Control & Countermeasures Plan to the local municipality and the District Manager. A copy of the Spill Prevention, Control & Countermeasures Plan shall be kept on-site on the exterior of the building/Site in a secure manner that provides 24-hour access to response personnel.

22.3 The Owner shall review the Spill Prevention, Control & Countermeasures Plan on an annual basis as a minimum, and shall ensure that the names and telephone numbers of the persons to be contacted as required under Condition 22.1(4) are up-to-date, and that these numbers are prominently displayed and immediately available to all staff and emergency response personnel.

22.4 The District Manager shall be notified within 30 days of any major changes to the Spill Prevention, Control & Countermeasures Plan.

22.5 The equipment, materials and personnel requirements outlined in the Spill Prevention, Control & Countermeasures Plan are required to be kept on Site and shall be immediately available on the Site at all times. The equipment shall be kept in a good state of repair and in a fully operational condition.

22.6 The Owner shall promptly take all necessary steps to contain and clean up any spills or upsets which result from this operation. All spills and upsets shall be recorded in a written log or an electronic file format, as to the nature of the spill or upset, and action taken for clean-up, correction and prevention of future occurrences.

22.7 All spills, as defined in the EPA, shall be immediately reported to the Ministry's Spill Action Centre at 1-800-268-6060 and to the local municipal authority.

23.0 Fire Safety Plan

23.1 No later than 6 months from the date of issuance of this Approval the Owner shall prepare and submit a Fire Safety Plan to the local fire service authority. In addition to any other information required by the local fire service authority, this Fire Safety Plan shall include a plan to deal with contaminated water generated as the result of fire suppression.

23.2 No later than 10 days after receiving written concurrence/approval for the Fire Safety Plan from the local fire service authority, the Owner shall submit a copy to the District Manager.

23.3 No waste shall be received at the Site unless condition 23.2 above has been satisfied.

23.4 A copy of the Fire Safety Plan, including a generic waste inventory, shall be kept on-site at all times in a locked box at the entrance to the building to aid in emergency response.

24.0 Training

24.1 No later than 6 months from the date of issuance of this Approval, a training plan specific to the Site shall be developed and implemented to ensure that all employees that operate the Site or carry out any activity required under this Approval are trained in its operation.

24.2 The training plan shall require and ensure through proper written records that all persons directly involved with activities relating to the Site have been trained with respect to:

- (1) relevant waste management legislation, regulations and guidelines;
- (2) major environmental concerns pertaining to the waste to be handled;
- (3) occupational health and safety concerns pertaining to the processes and wastes to be handled;
- (4) management procedures including the use and operation of equipment for the processes and wastes to be handled, the procedures manual and the Design and Operations Report;
- (5) the Spill Prevention, Control & Countermeasures Plan and in the procedures to be employed in the event of an emergency;
- (6) the Fire Safety Plan;
- (7) specific written procedures for refusal of unacceptable waste loads;
- (8) contingency procedures;
- (9) specific written procedures for the control of nuisance conditions; and
- (10) the requirements of this Approval.

24.3 The Owner shall maintain a written record of training at the Site which includes:

- (1) date of training;
- (2) the name and signature of the person who has been trained; and
- (3) description of the training provided.

24.4 The Owner shall ensure that Trained personnel is/are on duty at all times when

the Site is open to carry out any activity required under this Approval.

25.0 Record Keeping

25.1 The Owner shall maintain a daily record either electronically or in a log book which shall include the following information:

- (1) the type, date and time of arrival, source, and quantity of all waste received at the Site on each operating day;
- (2) the date, type, quantity and destination of all residual waste, processed waste and processed materials transferred from the Site on each operating day;
- (3) a record of any waste refusals, which shall include: the amount of waste refused; identification of the waste generator/hauler; reasons for refusal; and actions taken;
- (4) a running total of the quantity of waste received at and shipped from the Site for the calendar year;
- (5) a running total of the total quantity of all unprocessed, in-process, processed and residual waste on-site at any one time;
- (6) a record of the daily inspections required by Condition 20 above; and
- (7) 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.

26.0 Annual Report

26.1 On March 31, 2022, the Owner shall prepare and retain on-site a written report which covers the period from the commissioning of the Site to December 31, 2021.

Thereafter, by March 31 on an annual basis, the Owner shall prepare and retain on-site a written annual report for the previous calendar year. The report shall include, at a minimum, the following information:

- (1) a detailed monthly summary of the information required by Condition 25 including an annual reconciliation between all wastes received and processed at the Site and all residual wastes and processed wastes transferred from the Site;
- (2) a summary of waste loads refused including the generator of the load, the licensed hauler of the load if the generator can not be determined, the date of refusal and reason for refusal of the load;
- (3) any environmental and operational problems, that are likely to negatively impact the environment, encountered during the operation of the Site and during the facility inspections and any mitigative actions taken;
- (4) a summary of complaints received and the actions taken to mitigate the issue associated with the complaint;
- (5) any recommendations to minimize environmental impacts from the operation of the Site and to improve Site operations and monitoring programs in this regard.

27.0 Closure Plan

27.1 (1) Four (4) months prior to the permanent closure of the Site the Owner shall submit to the District Manager written notification of the decision to cease activities and a schedule for the implementation of all decommissioning activities to be undertaken.

(2) Within ten (10) days after closure of the Site, the Owner shall notify the Director and the District Manager, in writing, that the Site is closed and that the decommissioning activities have been completed.

Schedule "A"

The following Schedule forms a part of this Approval:

1. Environmental Compliance Approval dated May 25, 2021 signed by Rich Lagani, Environmental Affairs Officer, Ontario, Envirosystems Incorporated, including the attached report entitled "Design and Operations Report / Paints and Coatings Recycling Facility / 1579 Burlington St. E. Hamilton, Ontario L8H 3L2" prepared by Madeleine Tierney, Jr. Engineer, Tetra Tech Inc., and all supporting documentation.

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

The reason for the definitions is to simplify the wording of the subsequent conditions and define the specific meaning of terms as used in this Approval.

The reason for Conditions 1.0, 3.0, 4.0, 5.0 and 9.0 is to clarify the legal rights and responsibilities of the Owner and Operator.

The reason for Conditions 2.0, 15.0 and 17.0 is 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.

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 and to ensure that the Director is informed of any changes.

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

The reason for Condition 7.0 is 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.

The reason for Condition 8.0 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 10.1 is to specify the approved service area from which waste may be accepted at the Site.

The reason for Condition 10.2 is to specify the hours of operation for the Site.

The reason for Condition 11.1 is to ensure that users of the Site are fully aware of important information and restrictions related to Site operations and access under this Approval.

The reason for Condition 11.2 is to ensure the controlled access and integrity of the Site by preventing unauthorized access when the Site is closed and no site attendant is on duty.

The reasons for Conditions 12.1 and 13.0 are to specify the types of waste that may be

accepted at the Site, the amounts of waste that may be stored at the Site and the maximum rate at which the Site may receive and ship waste based on the Company's application and supporting documentation.

The reason for Condition 12.2 is to ensure that all wastes are properly classified to ensure that they are managed, processed and disposed in accordance with O. Reg. 347, R.R.O. 1990 and in a manner that protects the health and safety of people and the public.

The reason for Condition 12.3(1) is to recognize the exemption for waste paints and coatings transferred by a generator and destined for a site at which the waste is to be used in an ongoing manufacturing process for the production of paints or coatings, if the process does not involve the combustion of the waste and the paints or coatings that are produced are not used as fuel, as per Section 3(2)8 of Reg. 347.

The reason for Conditions 12.3(2), 14.0, 16.0, 17.0, 18.0 and 19.0 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 Condition 20.0 is to ensure that detailed records of Site inspections are recorded and maintained for inspection and information purposes.

The reason for Condition 21.0 is to ensure that any complaints regarding Site operations at the Site are responded to in a timely manner.

The reasons for Condition 22.0 is to ensure that a Spill Prevention, Control & Countermeasures Plan is developed and maintained at the Site and that staff are properly trained in the operation of the equipment used at the Site and emergency response procedures.

The reason for Condition 23.0 is to ensure that a Fire Safety Plan is prepared and reviewed by the local fire service authority prior to the receipt of waste to ensure proper fire safety protocols are in place.

The reason for Condition 24.0 is to ensure that the Site is operated by properly Trained staff in a manner which does not result in a hazard or nuisance to the natural environment or any person.

The reasons for Condition 25.0 are to provide for the proper assessment of effectiveness and efficiency of site design and operation, their effect or relationship to any nuisance or environmental impacts, and the occurrence of any public complaints or concerns. Record keeping is necessary to determine compliance with this Approval, the EPA and its regulations.

The reasons for Condition 26.0 are to ensure that regular review of site development, operations and monitoring data is documented and any possible improvements to site design, operations or monitoring programs are identified. An annual report is an important tool used in reviewing site activities and for determining the effectiveness of site design.

The reasons for Condition 27.0 is 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.

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.

The Notice should also include:

1. The name of the appellant;
2. The address of the appellant;
3. The environmental compliance approval number;
4. The date of the environmental compliance approval;
5. The name of the Director, and;
6. The municipality or municipalities within which the project is to be engaged in.

And the Notice should be signed and dated by the appellant.

This Notice must be served upon:

The Secretary*
Environmental Review Tribunal
655 Bay Street, Suite 1500
Toronto, Ontario
M5G 1E5

AND
The Minister of the Environment,
Conservation and Parks
777 Bay Street, 5th Floor
Toronto, Ontario
M7A 2J3

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

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

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

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

DATED AT TORONTO this 16th day of September,
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
Jennifer Bevens, EnviroSystems Incorporated