

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 8121-CKQQ8V  
Issue Date: January 4, 2023

Aarts-Can Holdings Inc.  
3062 Cromarty Dr  
Post Office Box, No. 81  
Thames Centre, Ontario  
N0L 2B0

Site Location: 3062 Cromarty Drive  
Putnam  
Municipality of Thames Centre, County of Middlesex  
N0L 2B0

*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:*

the use and operation of a 23.4 hectare waste disposal site

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

solid non-hazardous waste generated by residential, industrial, commercial, and institutional sources, limited to Construction and Demolition waste.

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:*

"Adverse Effect" as defined in the EPA;

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

"Construction and Demolition Waste" means solid non-hazardous waste, excluding soil, produced from the construction, renovation or demolition of an industrial, commercial, institutional or residential building;

"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 II.1 of the EPA;

"District Manager" means the District Manager of the Ministry's London District Office;

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

"Financial Assurance" is as defined in Section 131 of the EPA;

"Ministry" and "MECP" means the ministry of the government of Ontario responsible for the EPA and includes all officials, employees or other persons acting on its behalf;

"Ontario Fire Code" means Ontario Regulation 213/07, Fire Code, made under the *Fire Protection and Prevention Act, 1997*, S.O. 1997, Chapter 4, 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 Aarts-Can Holdings Inc., including its officers, employees, agents or contractors;

"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 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 PA;

"Regulation 347" or "Reg 347" means Regulation 347, R.R.O. 1990, General - Waste Management, made under the EPA, as amended;

"Residual Waste" means waste that is destined for final disposal;

"Site" means the 23.4 ha waste disposal site located at 3062 Cromarty Drive in the Municipality of Thames Centre, County of Middlesex; and

"Trained Personnel" means an employee who has been trained in accordance with Conditions 21 and is qualified because of knowledge, training and experience to carry out any necessary duties;

*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, 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 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 Except as otherwise provided for in this Approval, the Site shall be designed, developed, built, operated, modified and maintained in accordance with the application for this Approval dated December 14, 2021 and the other supporting documentation listed in Schedule "A".
- 2.2 The Site shall be constructed and the approved equipment shall be installed and must commence operation, within five (5) years of issuance of this Approval, after which time the Approval ceases to apply in respect of any portions of the Site not in operation. In the event that the construction, installation and/or operation of any portion of the Site is anticipated to be delayed beyond the time period stipulated, the Owner shall submit to the Director an application to amend the Approval to extend this time period, at least six (6) months prior to the end of the period. The amendment application shall include the reason(s) for the delay and whether there is any design change(s).

## **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 any necessary or applicable approvals 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.
- 6.3 In the event of any change in ownership of the Site, the Owner shall notify, in writing, the succeeding owner of the existence of this Approval, and a copy of such notice shall be forwarded to the Director.

## **7.0 Financial Assurance**

- 7.1 (1) Within thirty (30) days of issuance of this Approval, the Owner shall submit to the Director, Financial Assurance in the amount of **\$104,420**. This Financial Assurance shall be submitted in a form acceptable to the Director and shall provide sufficient funds for site clean-up, monitoring, and the analysis, transportation and disposal of all quantities of waste permitted to be on-site at any one time.
- (2) Commencing on December 30, 2027 and at intervals of five (5) years thereafter, the Owner shall submit to the Director, a re-evaluation of the amount of Financial Assurance to implement the actions required under Condition 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 thirty (30) calendar 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 his/her 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 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:
- (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 Operation**

- 10.1 Only waste that is generated in the province of Ontario may be accepted at the Site.
- 10.2 Waste may be received, processed and shipped from the Site between 7:00am and 5:00pm, 7 days per week, unless otherwise restricted by local by-laws.

## **11.0 Signage and Security**

- 11.1 Prior to receiving any waste at the Site, the Owner shall install a sign at the main entrance/exit of the Site on which the following information shall be legibly displayed:
- a. name of the Owner;
  - b. this Approval number;
  - c. hours during which the Site is open;
  - d. waste types that are approved to be accepted at the Site;
  - e. Owner's telephone number to which complaints may be directed;
  - f. Ministry's telephone number to which complaints may be directed;
  - g. Owner's twenty-four hour emergency telephone number (if different from above);
  - h. a warning against unauthorized access; and
  - i. a warning against dumping at the Site.

11.2 The Site shall be operated and maintained in a secure manner, such that unauthorized persons cannot enter the site. During non-operating hours, the Site gates shall be locked and secured against access by unauthorized persons.

## **12.0 Approved Waste Types**

12.1 No waste other than solid non-hazardous waste generated by residential, industrial, commercial and institutional sources, limited to Construction and Demolition waste, shall be received at the Site.

- 12.2
- (1) The Owner shall ensure all incoming loads are inspected by Trained Personnel to ensure only approved waste is received at this Site.
  - (2) If any incoming waste load is known to contain unapproved waste, or is discovered to contain unapproved waste during receipt, that load shall be rejected.
  - (3) If any unapproved waste is discovered on-site, that waste shall be immediately removed from the Site for disposal in accordance with the EPA and Reg. 347.

12.3 The Owner is prohibited from receiving metals coated with coolant or oils, asbestos waste, putrescible waste (excluding wood waste) and subject waste.

12.4 The Owner shall ensure that a trained employee(s) is/are on duty at all times when the Site is open to ensure proper supervision of all waste activities.

## **13.0 Approved Waste Quantities**

13.1 The amount of waste received at the Site on any one day shall not exceed 700 tonnes.

13.2 The amount of waste stored at the Site at any one time shall not exceed 1,000 tonnes.

13.3 In the event that the waste cannot be transferred from the Site and the Site is at its approved waste storage capacity, the Owner shall cease accepting additional waste. Receipt of additional waste may be resumed once such receipt complies with the waste storage limitations approved in this Approval.

13.4 Waste shall only be transported to and from the Site by haulers approved by the Ministry to transport such waste, or registered on the EASR, as required.

## **14.0 Waste Storage and Processing**

14.1 The Owner shall ensure that all waste is stored and processed in manner that does not result in a nuisance or an Adverse Effect.

14.2 The following waste management activities may be carried out at the Site:

- (1) the receipt, temporary storage and transfer of waste;
- (2) the crushing of asphalt, brick and concrete;

- (3) the grinding, chipping or crushing of woodwaste; and
  - (4) the sorting of waste;
- provided any equipment used to carry out waste processing has all necessary approvals issued further to Section 9 of the EPA.

- 14.3 The Owner shall ensure that waste is managed in the following manner:
- a. Construction and Demolition waste (non-segregated) and wood waste shall be unloaded, segregated, sorted and stored within the designated 24.4 m x 30.5 m quonset hut or outdoors within bins;
  - b. metal, glass, shingles, drywall, plaster, and Residual Waste shall be segregated and stored in designated bins; and
  - c. brick, concrete and asphalt shall be segregated and stored in the designated areas defined by markers/barriers or outdoors within bins.
- 14.4 The Owner shall ensure that:
- (a) waste is placed in the appropriate bins or designated storage areas before the end of each operating day;
  - (b) all bins and waste storage areas are clearly labelled;
  - (c) all lids or doors on bins shall be kept closed during non-operating hours and during the high wind events or high precipitation events;
  - (d) a berm between the outdoor waste storage piles and all adjacent residences (excluding those owned by the Owner) is installed and maintained with the necessary height needed to block the line of sight from the residences to the outdoor waste storage piles; and
  - (f) if necessary to prevent litter, waste storage areas shall be covered during the high winds events.
- 14.5 All storage containers/bins used to store waste and/or recyclable materials shall be maintained in good condition to prevent leakage. The Owner shall immediately remove from service any leaking container. Containers/bins used to store clean scrap metal may be equipped with drainage holes to permit the drainage of rainwater.
- 14.6 The Owner shall ensure that outdoor waste storage is conducted in accordance with Part 3 of the Ontario Fire Code.
- 14.7 The Owner shall transfer waste from the Site as follows:
- (a) any waste required to be stored in bins under this Approval shall be transferred off-site once the respective storage bins are full;
  - (d) wood waste and bricks shall be transferred off-site at a minimum of once every six (6) months; and
  - (c) immediately, in the event that waste is creating an odour or vector problem.
- 14.8 The Owner shall monitor the waste storage areas daily to remove unauthorized materials.
- 14.9 The Owner shall ensure that the Site is not operated unless all approvals for the activities set out in Section 9 of the EPA, where applicable, have been obtained.
- 14.10 Any concrete or asphalt that is accepted by the owner of the quarry located at 3062 Cromarty



Drive, Putnam, Municipality of Thames for use in their aggregate manufacturing operation or retail sale may be excluded from the total storage limit at the Site set out under condition 13.2. This condition ceases to apply when the quarry becomes inactive.

## **15.0 Nuisance Control**

- 15.1 The Owner shall operate and maintain the Site such that dust, litter, odours and vermin/vectors do not result in a nuisance or an Adverse Effect.
- 15.2 If at any time vermin and/or vectors result in a nuisance or an Adverse Effect, the Owner shall hire a qualified, licensed pest control professional to design and implement a pest control plan for the affected Site(s).
- 15.3 The Owner shall ensure that there is no queuing or parking of vehicles that are waiting to enter the Site on any roadway that is not a distinct part of the Site.
- 15.4 The Owner shall control fugitive dust emissions from the on-site roads. If necessary, the major sources of dust shall be treated with water and/or dust suppression materials to minimize the overall dust emissions from the Site.
- 15.5 The Owner shall ensure that reasonable efforts are made to keep the access road used by vehicles to leave the Site, free of mud, dirt and waste.
- 15.6 The Owner shall prevent the escape of litter from the Site and pick up litter around the Site on a daily basis, or more frequently if necessary.

## **16.0 Stormwater Management**

- 16.1 The Owner shall manage all stormwater runoff from this Site in accordance with appropriate municipal, provincial and/or federal legislation, regulations and by-laws.
- 16.2 The Owner shall ensure that the Site is graded and/or constructed and maintained in good order such that surface water runoff is diverted away from waste storage areas and the Site remains free of any excess accumulation of water from rain and snow at all times.

## **17.0 Operations Manual**

- 17.1 Prior to the first receipt of waste at the Site, the Owner shall prepare an Operations Manual for use by the Site personnel. As a minimum, the Operations Manual shall contain the following:
  - a. an outline of the responsibilities of Site personnel;
  - b. personnel training protocols;
  - c. waste receiving and screening procedures;
  - d. waste unloading, handling, and storage procedures;
  - e. process monitoring procedures;
  - f. sampling and testing procedures;

- g. Site inspections, spill, fire, upset and leakage recording procedures under the ;
- h. procedure for handling complaints as described in this Approval.

17.2 A copy of the Operations Manual shall be kept at the Site, must be accessible to personnel at all times and must be updated, as required.

## **18.0 Site Inspections and Reporting**

18.1 Trained Personnel shall carry out a daily inspection of the entire Site to ensure that:

- (1) the Site is secure;
- (2) no unapproved waste is present on-site;
- (3) the operation of the Site is not the cause of any nuisances or Adverse Effects as described in Condition 15 above; and
- (4) the operation of the Site is not the cause of any other Adverse Effects.

18.2 Any deficiencies discovered as a result of an inspection carried out under Condition 18.1 shall be remedied immediately, with corrective measures including temporarily ceasing operations at the Site and/or removing all waste from the Site as necessary.

## **19.0 Complaints**

19.1 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:
  - 1. the nature of the complaint;
  - 2. the name, address and the telephone number of the complainant if the complainant will provide this information; and
  - 3. the time and date of the complaint;
  - 4. weather conditions at the time of the complaint; and
  - 5. 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 one (1) week of the complaint date, listing the actions taken regarding the complaint and any recommendations for remedial measures, and managerial or operational changes to reasonably avoid the recurrence of similar incidents.

## **20.0 Spill Response and Contingency Measures**

20.1 All spills, as defined in the EPA, shall be immediately reported to the Ministry's Spills Action Centre at 1-800-268-6060.

- 20.2 Should a Spill occur at the Site, in addition to fulfilling the requirements from the EPA, the Owner shall submit to the District Manager a written report within three (3) calendar days outlining the nature of the Spill, remedial measure taken and the measures taken to prevent future occurrences at the Site.
- 20.3 The Owner shall implement and maintain an Emergency Response and Contingency Plan for the Site. This Plan shall include, but not necessarily be limited to:
- (a) emergency response procedures to be undertaken in the event of a spill, fire, medical emergency or process upset;
  - (b) a list of equipment and spill clean up materials available in case of an emergency;
  - (c) 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
  - (d) 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 companies available for emergency response.
- 20.4 The Owner shall review the Emergency Response and Contingency 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 20.3 are up-to-date, and that these numbers are prominently displayed and immediately available to all staff and emergency response personnel.
- 20.5 The equipment, materials and personnel requirements outlined in the Emergency Response and Contingency 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.
- 20.6 The Owner shall promptly take all necessary steps to contain and clean up any spills or upsets which result from this operation.

## **21.0 Training**

- 21.1 Prior to the receipt of any waste at the Site, the Owner shall develop and implement a training plan specific to the Site to ensure that all employees that operate the Site or carry out any activity required under this Approval are trained in its operation.
- 21.2 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:
- a. relevant air, noise, wastewater and waste management legislation, regulations and guidelines, including but not limited to the EPA and Reg. 347;
  - b. environmental and occupational health and safety concerns pertaining to the wastes to be handled at the Site;
  - c. the operation, inspection, and maintenance of the Site;

- d. records keeping procedures;
- e. emergency procedures and contingency plans in case of fire, spills, off-site impacts and any other emergency situations detailed within the Emergency Response and Contingency Plan;
- f. specific written procedures for the control of Adverse Effects from the Site;
- g. specific written procedures for refusal of unacceptable incoming waste loads; and
- h. terms, conditions and operating requirements of this Approval, relevant to the specific job requirements of each individual employee.

21.3 The training of the employees of the Site shall be undertaken:

- a. upon commencing employment at the Site;
- b. during the planned three (3)-year refresher training.

## **22.0 Reporting**

22.1 The Owner shall maintain an on-site written or digital record of daily activities undertaken at the Site. All measurements shall be recorded in consistent metric units of measurement. The record shall include, as a minimum, the following:

- i. date of record;
- ii. quantity and type of the waste received at the Site, including the incoming waste characterization results, or published characterization data, as applicable;
- iii. quantity and type of the waste present at the Site in the storage tanks;
- iv. amount of the waste shipped from the Site and destination;
- v. quantity and type of any Rejected Waste rejected from the Site;
- vi. housekeeping activities, including litter collection, washing/cleaning activities, etc.

22.2 The Owner shall maintain an on-Site written or digital record of the emergency situations. The record shall include, as a minimum, the following:

- i. the type of an emergency situation;
- ii. description of how the emergency situation was handled;
- iii. the type and amount of material spilled, if applicable;
- iv. a description of how the material was cleaned up and stored, if generated; and
- v. the location and time of final disposal, if applicable.

22.3 The Owner shall maintain an on-Site written or digital record of inspections as required by this Approval. The record shall include, as a minimum, the following:

- i. the name and signature of person that conducted the inspection;
- ii. the date and time of the inspection;
- iii. the list of any deficiencies discovered;
- iv. the recommendations for remedial action; and
- v. the date, time and description of actions taken.

22.4 The Owner shall maintain an on-Site written or digital record of training as required by this Approval. The record shall include, as a minimum, the following:

- i. date of training;

- ii. name and signature of person who has been trained; and
- iii. description of the training provided.

- 22.5 The Owner shall establish and maintain a written or digital record of complaints received and the responses made as required by this Approval.
- 22.6 By June 30th following the end of each operating year, the Owner shall prepare and maintain on-site an Annual Report summarizing the operation of the Site covering the previous calendar year. This Annual Report shall include, as a minimum, the following information:
- a. a detailed monthly summary of the type and quantity of all incoming and outgoing wastes;
  - b. a site plan with all active storage areas identified;
  - c. any environmental and operational problems, that could negatively impact the environment, encountered during the operation of the Site or during Site inspections and any mitigative actions taken;
  - d. any recommendations to minimize environmental impacts from the operation of the Site and to improve Site operation and monitoring programs in this regard;
  - e. a summary of any complaints received and the responses made;
  - f. a summary of all inspections and maintenance carried out at the Site;
  - g. a written statement that the Site was in compliance with the Approval; and
  - h. any other information the District Manager requires from time to time.

### **23.0 Closure**

- 23.1 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 of the Site and a schedule for completion of that work.
- 23.1 Within ten (10) days after closure of the Site, the Owner must notify the Director and District Manager, 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. Environmental Compliance Approval application dated December 14, 2021 and signed by Tony Aarts, President, Aarts-Can Holdings Inc., including all supporting documentation.
2. Emails from Kristopher Mask, Pinchin Ltd., to Nick Zambito, Ministry, dated November 11, 2022, regarding the use of the concrete and asphalt in the active gravel pit/quarry.
3. Emails from Kristopher Mask, Pinchin Ltd., to Nick Zambito, Ministry, dated November 16, 2022 and December 6, 2022 regarding responses to the Ministry's comments.
4. Design and Operations Report prepared by Pinchin Ltd. and dated December 13, 2022, including the revision confirmed by Kris Mask, Pinching Ltd., to Nick Zambito, Ministry, in the email dated December 16, 2022, in regards to the waste storage limit.

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

1. 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 the Operator.
2. The reason for Condition 2.0 and 17.0 is to ensure that the Site is operated 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.
3. The reasons for Condition 6.0 are 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, and 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.
4. 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 Owner is unable or unwilling to do so.
5. 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, OWRA and PA.
6. The reasons for Condition 10.0, 12.0, 13.0 and 14.0 are to specify the service area, hours of operation, the types of waste that may be received at the Site, the maximum amount of waste that may be received and stored at the Site, the manner in which waste may be stored at the Site and the waste processing activities that may be carried out at the Site.

7. The reason for Condition 11.0 is to ensure that users of the Site are fully aware of important information and restrictions related to Site operations, access and emergency response under this Approval, and 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.
8. The reasons for Condition 15.0, 16.0 and 18.0 are to ensure that the Site is not the cause of any nuisance impacts or Adverse Effects and to ensure that the Site is inspected on a regular basis to maintain this status.
9. The reason for Condition 19.0 is to ensure that all complaints received are recorded and addressed in a timely manner.
10. The reason for Condition 20.0 is to ensure that all spills are properly addressed in a timely manner.
11. The reason for Condition 21.0 is to ensure that the Site is operated by properly trained staff so that the operation of the Site does not result in a hazard or nuisance to people or the environment.
12. The reason for Condition 22.0 is 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.
13. The reason for Condition 23.0 is to ensure that the Site is closed in accordance with Ministry standards in a manner that protects 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 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.

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\*

The Minister of the Environment,

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

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

and

Conservation and Parks  
777 Bay Street, 5th Floor  
Toronto, Ontario  
M7A 2J3

and

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](http://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 4th day of January, 2023



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

NZ/

c: District Manager, MECP London - District  
Kris Mask, Pinchin Ltd.