

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 3380-CRHK7W

Issue Date: May 25, 2023

1869096 Ontario Ltd.
14028 Pinkerton Side Rd
Essex, Ontario
N8M 2Y3

Site Location: Canadian Transfer Essex Waste Depot
14028 Pinkerton Side Rd
Essex Town, County of Essex
N8M 2Y3

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:

- one (1) non-hazardous solid waste transfer and recycling facility that receives non-hazardous municipal solid waste (MSW), construction and demolition waste (C&D), industrial, commercial and institutional waste (IC&I), and recyclable materials such as metal, wood, drywall, gypsum board, concrete, brick, tires, cardboard and paper with a maximum capacity of 480 tonnes per day and consisting of the following:
 - Paved driveway
 - Office and scale house building - weighing and receipt of waste material
 - Enclosed waste processing building, consisting of the following unit operations:
 - tipping and pre-sorting;
 - screening;
 - sorting;
 - compaction; and
 - shipping.

- o three (3) exhaust fans that control emissions from the non-hazardous solid waste transfer and recycling facility discharging into the atmosphere at a maximum volumetric flow rate of 16.05 cubic metres per second through a stack having an exit diameter of 1.52 metre, extending 10.06 metres above grade;

all in accordance with the Application for Approval (Air & Noise) dated May 30, 2022 and signed by Mike Beaudoin - General Manager, 1869096 Ontario Ltd.; and the supporting information, including the Emission Summary and Dispersion Modelling Report, submitted by RWDI AIR Inc., dated May 30, 2022 and signed by Sarah Pellatt, as well as the Acoustic Assessment Report dated April 17, 2023 prepared by RWDI AIR Inc., and signed by Slavi Grozev, P.Eng.

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

1. "Approval" means this Environmental Compliance Approval, including the application and supporting documentation listed above;
2. "Best Management Practices Plan" means a document or a set of documents which describe measures to minimize odour emissions from the Facility and/or Equipment;
3. "Company" means 1869096 Ontario Ltd. that is responsible for the construction or operation of the Facility and includes any successors and assigns in accordance with section 19 of the EPA;
4. "District Manager" means the District Manager of the appropriate local district office of the Ministry, where the Facility is geographically located;
5. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19;
6. "Equipment" means the equipment and processes described in the Company's application, this Approval and in the supporting documentation submitted with the application, to the extent approved by this Approval;
7. "Facility" means the entire operation located on the property where the Equipment is located;
8. "Manual" means a document or a set of documents that provide written instructions to staff of the Company;
9. "Ministry" means the ministry of the government of Ontario responsible for the EPA and includes all officials, employees or other persons acting on its behalf;
10. "Publication NPC-300" means the Ministry Publication NPC-300, "Environmental Noise Guideline, Stationary and Transportation Sources – Approval and Planning, Publication NPC-300", August 2013, as amended.

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. OPERATION AND MAINTENANCE

1. The Company shall ensure that:
 - a. one (1) exhaust fan is operated at all times.
 - b. all waste processing operations shall occur inside the enclosed waste processing building.
 - c. the negative pressure is maintained within waste processing building at all times except for an emergency.
2. The Company shall ensure that the Equipment is properly operated and maintained at all times. The Company shall:
 - a. prepare, not later than three (3) months after the date of this Approval, and update, as necessary, a Manual outlining the operating procedures and a maintenance program for the Equipment, including:
 - i. routine operating and maintenance procedures in accordance with good engineering practices and as recommended by the Equipment suppliers;
 - ii. emergency procedures, including spill clean-up procedures;
 - iii. procedures for any record keeping activities relating to operation and maintenance of the Equipment; and,
 - iv. all appropriate measures to minimize noise and odorous emissions from all potential sources;
 - b. implement the recommendations of the Manual.

2. FUGITIVE ODOUR CONTROL

1. The Company shall develop in consultation with the District Manager, a Best Management Practices Plan for the control of fugitive odour emissions. This Best Management Practices Plan shall:
 - a. include proposed measures to minimize the release of fugitive odour emissions; and
 - b. include a list of all Ministry comments received, if any, on the development of the Best Management Practices Plan, and a description of how each Ministry comment was addressed

in the Best Management Practices Plan.

2. The Company shall submit the Best Management Practices Plan to the District Manager not later than three (3) months after the date of this Approval or as otherwise indicated by the District Manager.
3. Upon acceptance of the Best Management Practices Plan by the District Manager, the Company shall immediately implement the Best Management Practices Plan for the control of fugitive odour emissions resulting from the operation of the Facility.
4. The Company shall update the Best Management Practices Plan as necessary or at the direction of the District Manager.

3. RECORD RETENTION

1. The Company shall retain, for a minimum of two (2) years from the date of their creation, all records and information related to or resulting from the recording activities required by this Approval, and make these records available for review by staff of the Ministry upon request. The Company shall retain:
 - a. all records on the maintenance, repair and inspection of the Equipment; and
 - b. all records of any environmental complaints, including:
 - i. a description, time and date of each incident to which the complaint relates;
 - ii. wind direction at the time of the incident to which the complaint relates; and
 - iii. a description of the measures taken to address the cause of the incident to which the complaint relates and to prevent a similar occurrence in the future.

4. NOTIFICATION OF COMPLAINTS

1. The Company shall notify the District Manager, in writing, of each environmental complaint within two (2) business days of the complaint. The notification shall include:
 - a. a description of the nature of the complaint; and
 - b. the time and date of the incident to which the complaint relates.

5. NOISE

1. The Company shall, at all times, ensure that the noise emissions from the Facility comply with the limits set out in Ministry Publication NPC-300.

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

1. Condition Nos. 1 and 2 are included to emphasize that the Equipment must be maintained and operated according to a procedure that will result in compliance with the EPA, the Regulations and this Approval.
2. Condition No. 3 is included to require the Company to keep records and to provide information to staff of the Ministry so that compliance with the EPA, the Regulations and this Approval can be verified.
3. Condition No. 4 is included to require the Company to notify staff of the Ministry so as to assist the Ministry with the review of the site's compliance.
4. Condition No. 5 is included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the Facility.

**Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s).
0311-A8QPP4 issued on April 13, 2016**

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 25th day of May, 2023



Nancy E Orpana, P.Eng.
Director
appointed for the purposes of Part II.1 of the
Environmental Protection Act

AB/

c: Area Manager, MECP Windsor
c: District Manager, MECP Sarnia
Sarah Pellatt, RWDI Air Inc.