

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER A-500-2186560076

Version: 1.0

Issue Date: February 15, 2024

*Pursuant to section 20.3 of the Environmental Protection Act, Revised Statutes of Ontario (R.S.O.) 1990, c. E. 19 and subject to all other applicable Acts or regulations this Environmental Compliance Approval is issued to:*

WASTE MANAGEMENT OF CANADA CORPORATION

117 WENTWORTH CRT  
BRAMPTON ONTARIO  
L6T5L4

*For the following site:*

1380 California Avenue (AV) , Brockville, BROCKVILLE, ONTARIO, CANADA, K6V 6K8

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s) A440109, issued on November 25, 2019.

*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 (Processing/Transfer) with a total area of 10.2 acres to be used for the transfer and processing of the following types of waste:

residential, industrial, commercial and institutional non-hazardous solid wastes including recyclable materials, as per the Conditions of this Approval

## **DEFINITIONS**

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

1. "Approval" means this Environmental Compliance Approval and any Schedules to it, including the application and supporting documentation listed in Schedule 1.
2. "competent person" means an employee who has received training in accordance with Condition 17.1 and is qualified because of knowledge, training and experience.
3. "Director" means any Ministry employee pursuant to section 20.3 of Part II.1 of the EPA.
4. "District Manager" means the District Manager of the local district office of the Ministry in which the Site is geographically located.
5. "EPA" means Environmental Protection Act, R.S.O. 1990, c. E. 19, as amended.
6. "IC&I" means industrial, commercial and institutional.
7. "Ministry" means the Ontario Ministry of the Environment, Conservation and Parks.
8. "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, and includes its successors or assigns.

9. "Owner" means any person that is responsible for the establishment or operation of the Site being approved by this Approval, and includes Waste Management of Canada Corporation., its successors and assigns.
10. "OWRA" means the Ontario Water Resources Act, R.S.O. 1990, c. O-40, as amended from time to time;
11. "PA" means the Pesticides Act, R.S.O. 1990, c. P-11, as amend from time to time;
12. "processed waste" means waste that has gone through the Owner's entire sorting/processing operation and is destined for an end user or for further processing;
13. "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;
14. "recyclable materials" means waste that is technically and economically viable to recycle, including but not limited to plastic containers, plastic cans, glass containers, metal contains, fibre, old corrugated cardboard and plastic film obtained from residential or IC&I sources;
15. "Regulation 347" means Regulation 347, R.R.O. 1990, made under the EPA, as amended from time to time.
16. "residual waste" means waste that is destined for final disposal;
17. "scavenging" means the uncontrolled removal of reusable waste from the waste;
18. "Site" means the entire waste disposal site, located at 1380 California Ave, Brockville City, United Counties of Leeds and Grenville, Ontario, approved by this Approval;
19. "unprocessed waste" means wastes received at the Site which has not fully completed the Owner's sorting/processing operation;
20. "white goods" means household appliances which contain, or may contain, refrigerants and which include, but are not restricted to, refrigerators, freezers and air-conditioning systems.

## TERMS AND CONDITIONS

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

### 1. Compliance

1. The Owner 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.
2. Any person authorized to carry out work on or operate any aspect of the Site shall comply with the conditions of this Approval.

### 2. In Accordance

1. Except as otherwise provided for in this Approval, the Site shall be operated and maintained in accordance with the application for this Approval, dated August 26, 2022, and the supporting documentation listed in Schedule 1.
2. Construction and installation of the aspects of the Site described in the most recent application for this Approval 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.
3. 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 2.2 above.

4. Use of the Site for any other type of waste, or other waste management activity, is not approved under this Approval, and requires obtaining a separate approval amending this Approval.
5. Applications to amend this Approval, for reasons other than administrative amendments, shall include submission of a revised Design and Operations Report.

### 3. Interpretation

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.
2. Where there is a conflict between the application and a provision in any documents listed in Schedule 1, 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. Where there is a conflict between any two documents listed in Schedule 1, other than the application, the document bearing the most recent date shall take precedence.
4. The conditions of this Approval are severable. If any condition of this Approval, or the application of any condition of this Approval to any circumstance, is held invalid or unenforceable, the application of such condition to other circumstances and the remainder of this Approval shall not be affected thereby.

### 4. Other Legal Obligations

1. The issuance of, and compliance with, this Approval does not:
  - a. relieve any person of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement; or
  - b. limit in any way the authority of the Ministry to require certain steps be taken or to require the Owner to furnish any further information related to compliance with this Approval.
2. All wastes at the Site shall be managed and disposed in accordance with the EPA and Regulation 347.
3. The Owner shall ensure that:
  - a. all equipment discharging to air operating at the Site are approved under Section 9 of the EPA; and,
  - b. all direct effluent discharges from this Site, including stormwater run-off, are managed in accordance with appropriate Municipal, Provincial and/or Federal Legislation, Regulations and By-laws.

### 5. Adverse Effect

1. The Owner shall ensure that steps are taken 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.
2. Despite an Owner, Operator or any other person fulfilling any obligations imposed by this Approval, the 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. Change of Owner

1. The Owner shall notify the Director, in writing, and forward a copy of the notification to the District Manager, within 30 days of the occurrence of any changes in the following information:
  - a. change of Owner or Operator of the Site, or both;

- b. change of address of the current Owner, or address of the new Owner;
  - c. change of partners where the Owner or Operator is or at any time becomes a partnership, and a copy of the most recent declaration filed under the Business Names Act, 1991 shall be included in the notification to the Director;
  - d. any change of name of the corporation where the Operator is or at any time becomes a corporation, and a copy of the most current "Initial Notice or Notice of Change" (form 1 or 2 of Ontario Regulation 182, Chapter C-39, R.R.O. 1990, as amended), filed under the Corporations Information Act shall be included in the notification to the Director; and,
  - e. change in directors or officers of the corporation where the Owner or Operator is or at any time becomes a corporation, and a copy of the most current "Initial Notice or Notice of Change" as referred to in 9(d), supra.
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.
  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. Inspections

1. No person shall hinder or obstruct a Provincial Officer from carrying out any and all inspections authorized by the EPA, the OWRA 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.

## 8. Information and Record Retention

1. 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.
2. All records required by the conditions of this Approval must be kept on the Owner's premises for a minimum period of two (2) years from the date of their creation.
3. The Owner shall, forthwith upon request of the Director, District Manager, or Provincial Officer (as defined in the EPA), furnish any information requested by such persons with respect to compliance with this Approval, including but not limited to, any records required to be kept under this Approval.
4. In the event the Owner provides the Ministry with information, records, documentation or notification in accordance with this Approval, the following shall not be construed as an approval, excuse or justification by the Ministry of any act or omission of the Owner relating to the Information, amounting to non-compliance with this Approval or any statute or regulation:
  - a. the receipt of Information by the Ministry;
  - b. the acceptance by the Ministry of the Information's completeness or accuracy; or

- c. the failure of the Ministry to prosecute the Owner, or to require the Owner to take any action, under this Approval or any statute or regulation in relation to the Information.

#### 9. Service Area and Hours of Operations

1. The operation of the processing and transfer facility is limited to the collection, sorting, processing and transfer of residential and IC&I solid non-hazardous waste and recyclable materials from the Provinces of Ontario and Quebec and the State of New York.
2. The hours of operation of the Site are 24 hours per day, 7 days per week.

#### 10. Approved Waste Types and Processes

1. The Owner shall only accept solid non-hazardous wastes and recyclable materials from residential and IC&I sources.
2. No scavenging of waste is permitted on Site.
3. No burning of waste is permitted on Site.
4. All waste shall be delivered to the Site either by the households, family farms and businesses responsible for those wastes or by waste haulers holding an approved waste management system approval or EASR registration.
5. Waste collected at the Site may be returned or sold to the general public for reuse provided all transactions are recorded by invoice. Information on the type, quantity and intended use (s) of the waste diverted in this manner shall be recorded as specified in Condition 19.1.
6. Prior to being accepted at the Site, all incoming waste shall be inspected by a competent person and shall only be permitted to enter the Site if the Site is approved to accept that type of waste.
7. In the event that unapproved waste is received at the Site, the Owner shall ensure that:
  - a. the waste is refused and returned to the generator if safe to do so; or
  - b. if return of the waste is not feasible, the Owner shall ensure that the waste is isolated on-site and that it is removed from the Site within seventy-two (72) hours, in accordance with Regulation 347; and,
  - c. the incident is reviewed so that appropriate steps can be taken to prevent future receipt of said waste.

#### 11. Waste Quantity

1. The Owner shall ensure that:
  - a. the maximum amount of unprocessed waste, processed waste and residual waste accepted daily at the Site shall not exceed 500 tonnes;
  - b. the maximum amount of unprocessed waste, processed waste and residual waste stored on Site shall not exceed 3,018 tonnes at any one time;
  - c. in order to demonstrate compliance with Condition 11.1(b), a real time total of all unprocessed waste, processed waste and residual waste present on Site shall be calculated and recorded. Historical records for a minimum of six (6) months shall be kept on Site and made available to a Provincial Officer upon request.
2. In the event that unprocessed waste, processed waste or residual waste cannot be removed from the Site and the total storage capacity as approved in Condition 11.1 is reached, the Owner:
  - a. must cease accepting additional waste to ensure the total approved storage capacity does not exceed the maximum amount approved by this Approval;

- b. submit to the District Manager for written concurrence, a schedule for removing the stored waste, within five (5) days of reaching the storage capacity; and
- c. remove stored waste in accordance with the written concurrence noted in Condition 11.2(b).

## 12. Waste Storage

### 1. The Owner shall ensure:

#### a. the outdoor storage area will be limited to:

- i. four (4) outdoor bale storage areas used for storage of up to 3,000 of baled waste;
- ii. one (1) outdoor cardboard containment area;
- iii. one (1) dedicated glass bunker holding up to 25 tonnes of glass;
- iv. one (1) bunker for the collection and bulking of construction and demolition material;
- v. one (1) bunker for the collection of leaf and yard waste;
- vi. two (2) 40-yard bins for the collection of railway ties and telephone poles;
- vii. a maximum of three (3) roll-off containers for the collection of recyclable materials from Schedules 1, 2 or 3 of Ontario Regulation 101/94;
- viii. a maximum of eight (8) roll-off containers, to be located in the Public Drop-off Area, for the receipt of recyclable materials;
- ix. a maximum of three (3) 40-yard bins to be located in the Public Drop-off Area for the receipt of general waste;
- x. a maximum of two (2) 4-yard front-load containers to be located in the Public Drop-off Area for the receipt of bagged waste;
- xi. a maximum of eight (8) trailers used for the staging of recyclable materials;
- xii. a maximum of three (3) roll-off containers for the temporary storage of large recyclable materials such as wood and/or metal;
- xiii. a maximum of 30 white goods units;
- xiv. a maximum of two (2) enclosed roll-off bins for the storage of waste electronics;
- xv. a maximum of 2 outbound staged trailers for waste electronics;
- xvi. one 68 square metre mixed recyclables bunker;
- xvii. two 50 cubic yard compactors for the temporary storage of MRF residues.

b. All bins and containers containing waste are leakproof and kept in good condition.

c. By the end of each operating day, all bunkers and roll-off bins are covered/tarped.

2. All storage totals, unless otherwise noted above, shall be in accordance with Table 1 in Item 2 and the site plan in Item 3 in Schedule 1, with total Site storage not to exceed 3,018 tonnes at any one time.

### 3. The Owner shall ensure that:

- a. white goods are stored in an upright position and in such a manner as to allow for the safe handling and removal from the Site;

b. refrigerants are removed by a licensed technician prior to removal from the Site. Alternatively, white goods shall be shipped off-site only to facilities where the refrigerants can be removed by a licensed technician in accordance with Ontario Regulation 463/10; and

c. records of white goods received are kept in accordance with Condition 19.2.

4. The Owner shall ensure that:

a. Recyclable materials are not stored on-site for more than 2 years.

b. Residual waste are either stored in enclosed trailers, enclosed compactors, designated roll-off containers, the transfer building tipping floor, or be removed from the Site at the end of each operating day. All such waste shall be removed from the Site no later than seventy-two (72) hours after receipt.

c. Unapproved waste is segregated from other waste and stored in a manner which minimizes environmental, health and safety risks and is removed from the Site within seventy-two (72) hours of receipt.

5. The Owner shall ensure that any subject wastes generated during the servicing of vehicles on-site is stored in appropriate spill containment as described in the Ministry's "Guidelines for Environmental Protection Measures at Chemical and Waste Storage Facilities" document, and that the total amount of such subject waste does not exceed 20 m<sup>3</sup> at any time.

### 13. Signage and Security

1. The Site shall be maintained in a secure manner, so that unauthorized persons cannot enter the Site.

2. A sign shall be posted in a prominent location at the Site entrance clearly stating:

a. the Owner's name;

b. the Approval number;

c. the hours of operation for receipt and transfer of waste; and

d. a 24-hour telephone number to call to reach the Owner in the event of an emergency or complaint.

### 14. Nuisance Control

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.

2. If at any time problems such as odours, dust, litter, noise, vectors, vermin, rodents or other nuisances are generated at the Site, the Owner shall take appropriate, immediate remedial action to eliminate the problem.

3. The Owner shall:

1. ensure the Site is inspected each day for litter, and that any litter discovered during daily inspections is cleaned up by the end of the operating day; and

2. carry out the wind-blown litter action plan described in Section 5.2.3 in the revised Design and Operations report noted in Schedule 1.

### 15. Site Inspections and Maintenance

1. The Owner shall ensure the following:

a. On each operating day, that a visual inspection is carried out by a competent person of the storage, processing and loading/unloading areas and the security features of the Site. The inspection shall ensure

that all equipment and facilities are in good working order and operated in a manner that will not negatively impact the environment, that waste storage, unloading and loading areas are orderly and that security features are in good working order.

- b. On a monthly basis, that an inspection of all emergency response equipment is carried out by a competent person or a contracted third party.
- c. Any deficiencies that might negatively impact the environment detected during inspections are promptly corrected.

2. The Owner shall develop and implement a preventative maintenance program, in accordance with manufacturer's recommendations, for all on-site equipment associated with the processing and managing of waste. The preventative maintenance program shall be available on Site for inspection by a Provincial Officer upon request. The preventative maintenance program, 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. Emergency and Contingency Planning and Response

- 1. The Owner shall take immediate measures to clean-up all spills, related discharges and process upsets of wastes which result from the operation of the Site.
- 2. All spills and upsets that may result in an adverse impact as defined under the EPA shall be immediately reported to the Ministry's Spills Action Centre at 416-325-3000 or 1-800-268-6060 and shall be recorded in a written log or an electronic file format, as to the nature of the spill or upset, and the action taken for clean-up, correction and prevention of future occurrences.
- 3. The Owner shall maintain an Emergency Preparedness and Response Plan for the Site. The Plan shall include, but not necessarily limited to:
  - a. emergency response procedures to be undertaken in the event of a spill, fire or process upset;
  - b. a list of contingency equipment, including adequate firefighting equipment and spill clean up materials, including names and telephone numbers of waste management companies available for emergency response;
  - c. a notification protocol with names and telephone numbers of persons to be contacted, including Owner personnel, the Ministry's District Office and Spills Action Centre, the local Fire Department and the local Municipality; and,
  - d. a Fire Safety Plan in accordance with the Ontario Fire Code.
- 4. A copy of the Emergency Preparedness and Response Plan shall be kept on the Site at all times, in a central location available to all staff.
- 5. The Owner shall ensure that the contingency equipment and materials outlined in the Emergency Preparedness and Response Plan are immediately available on the Site at all times, in a good state of repair, and fully operational; and
- 6. The Owner shall ensure that all operating personnel are fully trained in the use of the contingency equipment and materials outlined in the Emergency Preparedness and Response Plan, and in the procedures to be employed in the event of an emergency.
- 7. No later than 90 days from the date of issuance of this Approval, the Owner shall engage with the local Fire Department to ensure all fire safety protocols for the Site are acceptable and up-to-date. The Owner shall forward any written correspondence received from the local Fire Department to the District Manager within 10 days of receiving it. Any required changes to the Site based on Fire Department input shall be submitted to the Director for approval prior to being implemented unless the Fire Department has stated the change needs to be implemented immediately, in which case any required changes shall be submitted to the Director for approval as

soon as possible thereafter.

## 17. Training

1. The Owner shall ensure that Site personnel are trained, and receive annual refresher training, on the operation and management of the Site, or area(s) within the Site, in accordance with the specific job requirements of each individual, including but not limited to:
  - a. an outline of the responsibilities of the Site personnel;
  - b. personnel training protocols;
  - c. any environmental concerns pertaining to the wastes accepted at the Site;
  - d. occupational health and safety concerns pertaining to the wastes received;
  - e. receiving and recording procedures (including recording procedures of wastes which are refused at the Site);
  - f. storage, handling, sorting and shipping procedures;
  - g. identification, handling and storage of unacceptable waste;
  - h. operation of equipment and procedures to be followed in the event of a process upset or an emergency situation, including the Emergency Response and Preparedness Plan for the Site.
2. The Owner shall ensure that Site personnel who oversee operations at the Site are trained, and receive annual refresher training in:
  - a. relevant waste management legislation, including but not limited to Regulation 347; and,
  - b. terms, conditions and operating requirements of this Approval.

## 18. Complaints

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 record each complaint on a formal complaint form entered in a numbered log book or an electronic file;
  - b. 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; and,
  - c. the Owner shall notify the District Manager, in writing, of the complaint and the resolution within seven (7) business days of the complaint occurring.

## 19. Record Keeping

1. The Owner shall maintain, in written or electronic format, daily records which shall include the following information:
  - a. date of record;
  - b. types, quantities and source of waste received that day;
  - c. types, quantities and destination of waste shipped from the Site that day;
  - d. quantities of waste stored on Site at the end of each operating day; and,

- e. any spills or upsets which occurred that day.
2. The Owner shall maintain a log of all white goods received. The log shall include the following:
    - a. date of the record, and
    - b. types and quantities of white goods received; and
    - c. quantities and destination of the white goods transferred from the Site; or
    - d. details on removal of refrigerants, if conducted on Site, and the quantities and receiving destinations of the refrigerants, and the final destination of the white goods, transferred from the Site.
  3. The Owner shall keep a record of the inspections required by Condition 15.0 on Site, available for review by a Provincial Officer upon request, which includes as a minimum:
    - a. the date and time of the inspections;
    - b. the results of the inspection;
    - c. details of actions taken to address the results of the inspection; and,
    - d. the name of the competent person or a contracted third party.
  4. The Owner shall keep a record of the preventative maintenance performed on all on-site equipment as required by Condition 15.2 on Site, available for review by a Provincial Officer upon request, which includes as a minimum:
    - a. the date and time when the preventative maintenance work was performed;
    - b. the equipment or part of equipment on which work was performed and the type of work performed; and,
    - c. the name of the competent person or a contracted third party.
  5. The Owner shall maintain at the Site a written record of employee training required by Condition 17.1 which includes:
    - a. date of training;
    - b. name and signature of person who has been trained; and,
    - c. description of the training provided.
  6. The Owner shall maintain at the Site a written record of all stormwater sampling and analysis required under Condition 24 of this Approval.

## 20. Design and Operations Report

1. The Owner shall ensure that the Design and Operations Report is retained at the Site, reviewed annually, updated as required, and be made available for inspection by Ministry staff upon request.
2. 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 transfer and 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.

## 21. Annual Report

1. By December 1st of each year, the Owner shall prepare and submit to the District Manager an annual report covering the previous calendar year. Each report shall include, as a minimum, the following information:
  - a. a detailed monthly summary of the type and quantity of all wastes received;

- b. a detailed monthly summary of the type and quantity of all waste transferred from the Site and the destination;
- c. the results of the stormwater sampling and analysis required under Condition 24 below;
- d. a summary of complaints received and actions taken in response;
- e. any changes to the Emergency Preparedness and Response Plan, and the Design and Operations Report that have been approved by the Director since the last annual report;
- f. any environmental and operation problems that could negatively impact the environment, encountered during the operation of the Site and during the facility inspections, and any mitigative actions taken; and,
- g. a statement as to compliance with all Conditions of this Approval including the inspection and reporting requirements of the Conditions herein.

## 22. Closure Plan

1. The Owner must submit, for approval by the Director, a written closure plan for the Site three (3) months prior to 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.
2. Within ten (10) days after closure of the Site, the Owner must notify the Director and District Manager, in writing, that the Site has been closed in accordance with the approved closure plan.

## 23. Financial Assurance

1. Within 20 days from the date of issuance of this Approval, the Owner shall submit financial assurance, as defined in Section 131 of the EPA, to the Director such that the total amount of financial assurance held by the Ministry is \$581,438.88. This financial assurance shall be in a form acceptable to the Director, and shall provide sufficient funds for the transportation, Site clean-up, monitoring and disposal of all quantities of waste on-Site at any one time.
2. On November 30, 2028 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 23.1. 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.
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.

## 24. Stormwater Monitoring

1. The Owner shall ensure stormwater is monitored in accordance with the following:
  1. both catchbasins discharging to California Avenue shall be sampled;
  2. sampling shall take place no less than 3 times per year, with at least 1 month between samples, and shall be conducted during the peak of or immediately after a precipitation event that results in stormwater runoff from the site flowing into the stormwater ditch along California Avenue;
  3. all samples shall be analyzed by an accredited third-party laboratory for the following parameters:

1. total suspended solids, having a compliance objective of no more than 25 mg/L;
  2. total dissolved solids;
  3. pH and hardness;
  4. chloride, having a compliance objective of no more than 120 mg/L;
  5. oil and grease, having a compliance objective of no more than 10 mg/L;
  6. silver, total phosphorus, nickel, iron, cobalt, copper and zinc, having a compliance objective of no more than 5 times the concentration set out in the Provincial Water Quality Objectives;
4. where sampling results show an exceedance of the compliance objective noted above, the Owner shall:
    1. notify the District Manager within 24 hours of receiving the result;
    2. take a confirmatory sample for analysis during the peak of or immediately after the next precipitation event that results in stormwater runoff from the site flowing into the stormwater ditch along California Avenue; and
    3. notify the District Manager of the results of the analysis of the confirmatory sample within 24 hours of receiving those results.
2. Sampling of the catchbasin that only manages stormwater from the roof may be discontinued further to this condition in accordance with the following:
    1. upon review of the stormwater sampling results noted above, the Ministry's Regional Technical Support section agrees that this catchbasin no longer requires sampling;
    2. the District Manager, upon receiving this recommendation from Regional Technical Support, issues written concurrence to the Owner agreeing to the removal of this catchbasin from the sampling requirements for the Site;
    3. the Owner submits an application to the Director requesting the removal of the catchbasin from the sampling requirements for the Site that includes this written concurrence from the District Manager.

## REASONS

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

1. The reason for Conditions 1.1, 1.2, 4.1, 4.2, 4.3, 5.1 and 5.2 is to clarify the legal rights and responsibilities of the Owner under this Approval.

The reasons for Conditions 2.1, 2.2 and 21.1 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 Conditions 3.1, 3.2, 3.3 and 3.4 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 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 1.

The reason for Condition 7.1 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 Conditions 8.1, 8.2, 8.3 and 8.4 is to ensure the availability of records and drawings for inspection and information purposes.

The reason for Conditions 9.1, 9.2, 10.1, 10.2, 10.3 and 10.4 is to specify the approved areas from which waste may be accepted, hours of operation, the types of waste that may be accepted at the Site, and the waste management activities approved to take place at the Site, based on the Owner's application and supporting documentation.

The reason for Conditions 10.6 and 10.7 is to ensure that only waste approved under this Approval is received at the Site.

The reason for Conditions 11.1 and 11.2 is to ensure that the quantities of waste received at the Site are in accordance with that approved under this Approval.

The reason for Conditions 11.1(c), 19.1, 19.2, 19.3, 19.4 and 19.5 is to ensure that accurate records are maintained to demonstrate compliance with the conditions in this Approval, the EPA and its regulations.

The reason for Conditions 12.1, 12.2 and 12.3 is to ensure that waste storage is done in a manner and duration which does not result in a nuisance or a hazard to the health and safety of the environment or people.

The reason for Condition 13.1 is to minimize the risk of unauthorized entry to the Site.

The reason for Condition 13.2 is to ensure that emergency responders and the public have the necessary contact information in the event of an emergency or complaint.

The reason for Conditions 14.1 and 14.2 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 15.1 and 15.2 is to ensure that all equipment and facilities are maintained in good working order.

The reason for Condition 16.1 is to ensure that the Owner immediately responds to a spill.

The reason for Condition 16.2 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 16.3 is to ensure that the Owner is prepared and properly equipped to take action in the event of a spill, fire or other operation upset.

The reason for Condition 17.1 is to ensure that the Site is supervised and operated by properly trained staff thereby minimizing the risk of the operations resulting in a hazard or nuisance to the natural environment or any person.

The reason for Condition 18.1 is to ensure that complaints are properly and quickly resolved and that complaints and follow-up actions have been documented.

The reasons for Condition 20.1 is to ensure that an up-to-date Design and Operations Report is maintained on Site at all times and is accessible to all personnel.

The reason for Condition 22.1 is to ensure that the Site is closed in accordance with Ministry standards and to protect the health and safety of the environment.

The reason for Condition 23.1 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.

The reason for Condition 24 is to ensure that stormwater discharges are monitored and a system is place to report and address exceedances to prevent impacts to the natural environment.

# APPEAL PROVISIONS

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In accordance with Section 139 of the *Environmental Protection Act*, you may by written notice served upon me and the Ontario Land Tribunal, within 15 days after the service of this notice, require a hearing by the Tribunal. You must also provide notice to, the Minister of the Environment, Conservation and Parks in accordance with Section 47 of the *Environmental Bill of Rights, 1993* who 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:

- I. 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;
- II. 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:

- I. The name of the appellant;
- II. The address of the appellant;
- III. The environmental compliance approval number;
- IV. The date of the environmental compliance approval;
- V. The name of the Director, and;
- VI. 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 <a href="mailto:OLT.Registrar@ontario.ca">OLT.Registrar@ontario.ca</a>	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 <i>Environmental Protection Act</i> Ministry of the Environment, Conservation and Parks 135 St. Clair Avenue West, 1st Floor Toronto, Ontario M4V 1P5
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**\* 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 [ero.ontario.ca](http://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 15th day of February, 2024



Mohsen Keyvani

Director

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

c: Katrina DiRenzo-McGrath, WASTE MANAGEMENT  
Jessica Petrocco, BluMetric Environmental Inc

The following schedules are a part of this environmental compliance approval:

## SCHEDULE 1

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1. Environmental Compliance Approval application dated August 26, 2022 signed by Katrina DiRenzo-McGrath, Waste Management of Canada Corporation, including all supporting documentation.
2. Email dated November 8, 2022 from Jessica Petrocco, P.Eng., BluMetric Environmental, to MECP, with updates to the Design and Operations Report, FA estimate and neighbour notification.
3. Email dated September 28, 2023 from Katrina DiRenzo-McGrath, Director, Waste Management of Canada Corporation, with updated site plan.