

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 9201-AQGPEN
Issue Date: November 5, 2023

515476 Ontario Limited
15 Bethridge Rd
Toronto, Ontario
M9W 1M6

Site Location: 15 Bethridge Rd and 18 Namco Road, Toronto, ON
Toronto City,

You have applied under section 20.2 of Part II.1 of the Environmental Protection Act, R.S.O. 1990, c. E. 19 (Environmental Protection Act) for approval of:

a waste disposal site

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

construction and demolition waste, including concrete, asphalt, brick, drywall, woodwaste, metal, paper, plastic, cardboard and excess soil;

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

"**ARA**" means the Aggregate Resources Act, R.S.O. 1990, c. A.8, as amended;

"**Approval**" means this entire provisional Environmental Compliance Approval document, issued in accordance with Part II.1 of the EPA, and includes any schedules to it, the application and the supporting documentation listed in Schedule "A";

"**excess soil**" has the same meaning as in O. Reg. 406/19;

"**Director**" means any Ministry employee appointed in writing by the Minister pursuant to section 5 of the EPA as a Director for the purposes of Part V of the EPA;

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

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

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

“**municipal waste**” has the same meaning as set out in Reg. 347;

"**O. Reg. 153/04**" means Ontario Regulation 153 (Records of Site Condition - Part XV.1 of the Act), as amended;

"**O. Reg. 406/19**" means Ontario Regulation 406 - On-Site and Excess Soil Management, as amended;

“**OWRA**” means the Ontario Water Resources Act, R.S.O. 1990, c. O.40, as amended;

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

“**Owner**” means any person that is responsible for the establishment or operation of the Site being approved by this Approval, and includes 515476 Ontario Limited, its successors and assigns;

“**PA**” means the Pesticides Act, R.S.O. 1990, c. P-11, as amended;

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

"**Qualified Person**" means a person who meets the qualifications to be a qualified person for conducting a phase one and a phase two environmental site assessment and for completing certifications in a record of site condition, as set out in Section 5 of *O. Reg 153/04* made under the *EPA*;

“**Reg. 347**” means Regulation 347, R.R.O. 1990, General - Waste Management, made under the EPA, as amended from time to time;

“**residual waste**” means any waste that is destined for an approved waste disposal facility for either final disposal or further processing;

"**Site**" means the waste disposal site (transfer and processing) located at 15 Bethridge Rd and 18 Namco Road, Toronto, M9W 1M6;

"**subject waste**" has the same meaning as set out in Reg. 347;

"**Trained personnel**” means competent personnel that have been trained through instruction and/or practice in accordance with the conditions of this Approval; and

"**Adverse Effect**" as defined in the *EPA*;

"**Permit**" means a fill permit issued for the receiving site under a municipal by-law enacted under section 142 of the *Municipal Act*, S.O. 2001, c.25, as amended, or a development permit for the receiving site granted

under a Regulation made pursuant to section 28 of the *Conservation Authorities Act* , R.S.O. 1990. c. C.27, as amended;

"RSC" means the record of site condition within the meaning of *O. Regulation 153/04*;

"Soil Rules" means the Ministry document entitled "Rules for Soil Management and Excess Soil Quality Standards".

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

TERMS AND CONDITIONS

1.0 Compliance

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

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

- 2.1 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 May 26, 2023, the Design and Operations Report as updated from time to time, and the other supporting documentation listed in Schedule "A".
- 2.2 (1) Construction and installation of the aspects of the Site described in the most recent application listed in Schedule "A" must be completed within 5 years of the later of:
 - (a) the date this Approval is issued; or
 - (b) if there is a hearing or other litigation in respect of the issuance of this Approval, the date that this hearing or litigation is disposed of, including all appeals.
- (2) This Approval ceases to apply in respect of the aspects of the Site noted above that have

not been constructed or installed before the later of the dates identified in Condition 2.2(1) above.

3.0 Interpretation

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

4.0 Other Legal Obligations

- 4.1 The issuance of, and compliance with, this Approval does not:
- (1) relieve any person of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement including, but not limited to:
 - (a) obtaining site plan approval from the local municipal authority;
 - (b) obtaining all necessary building permits from the local municipal authority Building Services Division;
 - (c) obtaining 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. In the event of any change in ownership of the Site, other than change to a successor municipality, the Owner shall notify the successor of and provide the successor with a copy of this Approval, and the Owner shall provide a copy of the notification to the District Manager and the Director.

7.0 Financial Assurance

7.1 The Owner shall maintain financial assurance, as defined in Section 131 of the EPA, with the Director in an amount no less than \$400,050. This financial assurance shall be in a form acceptable to the Director, and shall provide sufficient funds for the clean-up and monitoring of the Site, and for the analysis, transportation, and disposal of all quantities of waste permitted to be on-site at any one time.

7.2 Commencing on March 31, 2028, and every five (5) years thereafter, the Owner shall provide to the Director a re-evaluation of the amount of the financial assurance to facilitate the actions required under Condition 7.1. Additional financial assurance, if required, must be submitted to the Director within twenty (20) days of written acceptance of the re-evaluation by the Director.

- 7.3 The amount of financial assurance is subject to review at any time by the Director and may be amended at his/her discretion.
- 7.4 If any financial assurance is scheduled to expire or notice is received, indicating financial assurance will not be renewed, and satisfactory methods have not been made to replace the financial assurance at least sixty (60) days before the financial assurance terminates, the Owner shall forthwith replace the financial assurance with cash.

8.0 Inspections

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

9.0 Information and Record Retention

- 9.1 Any information requested, by the Ministry, concerning the Site and its operation under this Approval, including but not limited to any records required to be kept by this Approval shall be provided to the Ministry, upon request, in a timely manner.
- 9.2 The receipt of any information by the Ministry or the failure of the Ministry to prosecute any person or to require any person to take any action, under this Approval or under any statute, regulation or other legal requirement, in relation to the information, shall not be construed as:
- (1) an approval, waiver, or justification by the Ministry of any act or omission of any person that contravenes any term or condition of this Approval or any statute, regulation or other legal requirement; or
 - (2) acceptance by the Ministry of the information's completeness or accuracy.

9.3 All records required by the conditions of this Approval must be retained on Site for a minimum period of five (5) years from the date of their creation.

9.4 Any information relating to this Approval and contained in Ministry files may be made available to the public in accordance with the provisions of the Freedom of Information and Protection of Privacy Act, R.S.O. 1990, C. F-31.

10.0 Service Area and Hours of Operations.

10.1 Only waste that is generated within the Province of Ontario may be accepted at the Site.

10.2 (1) Waste may be transferred at the Site between the hours of 6:00am and 9:00pm, Monday through Sunday, unless otherwise restricted by municipal by-laws.

(2) Waste may be processed at the Site 24 hours per day, 7 days per week unless otherwise restricted by municipal by-laws.

11.0 Signage and Security

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

(1) the name of the Owner and Operator;

(2) the number of this Approval;

(3) a twenty-four (24) hour telephone number that can be used to reach the Owner in the event of a complaint or an emergency; and

(4) the type of waste that is approved for receipt at the Site.

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

12.0 Approved Waste Types

12.1 No waste may be accepted at the Site other than solid non-hazardous waste, limited to the following:

(1) construction and demolition waste from industrial, commercial, institutional and residential sources, including: concrete, asphalt, brick, drywall, woodwaste, metal, paper, plastic, and cardboard;

(2) excess soil from residential sources, with the total amount of excess soil received from

any one residential source not to exceed 100 cubic metres; and

(3) excess soil from commercial or industrial sources.

12.2 (1) Further to Condition 12.1(2) above, no excess soil from residential sources may be accepted at the Site unless the following are satisfied:

1. the Owner has completed an inspection of the source site and the neighbouring properties to ensure there are no signs of any active or historical potentially contaminating activities that could impact the quality of the excess soil;
2. prior to removal of the excess soil from the source site, the Owner ensures that one set of Trained staff completes a visual and olfactory inspection of the excess soil to ensure there are no indications that the soil has been impacted;
3. the excess soil is collected at the source site in containers supplied by the Owner;
4. the excess soil is removed from the source site by the Owner;
5. the excess soil is transported to the Site by the Owner or by a carrier hired by the Owner;
6. the Owner ensures that a different set of Trained staff completes an additional visual and olfactory inspection of the excess soil at the Site prior to the acceptance of the soil to ensure there are no indications that the soil has been impacted.

(2) For the purposes of Condition 12.2(1), the Owner may be deemed to satisfy the requirements listed above if they hire a contractor to operate on their behalf and the contractor operates in accordance with the requirements of this Approval.

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

(2) If any incoming waste load is known to, or is discovered to, contain unapproved waste, that load shall not be accepted at the Site.

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

12.4 No excess soil load shall be received at the Site without the following information:

(1) For all soil loads, the following:

- a. the generator's name and/or company name, address and contact information;
- b. the location of the source site;
- c. current source site activities and land use;
- d. past source site activities and land use, if known; and
- e. the estimated quantity of excess soil in the soil load as well as the total amount expected to be received at the Site from that source site.

- (2) For soil loads to be transferred directly from the Site to another location for beneficial reuse in accordance with O. Reg. 406/19:
 - a. all sampling protocols, testing protocols and characterization results determined in accordance with the requirements set out in O. Reg. 406/19 and the Soil Rules.
- (3) For soil loads to be transferred directly from the Site to another location for purposes other than beneficial reuse in accordance with O. Reg. 406/19, including to a waste disposal site approved to manage that waste:
 1. the results of any Phase I Environmental Site Assessment (ESA) and Phase II ESA undertaken for the source site in accordance with the Ministry's requirements under O. Regulation 153/04; or
 2. the following characterization results:
 - a. results of the Slump Test carried out in accordance with Schedule 9 of Reg. 347 if the excess soil has a high moisture content; and
 - b. characterization to demonstrate that the excess soil is non-hazardous waste, including as a minimum the results of TCLP analysis.

13.5 All applicable analytical results shall be from a laboratory service provider accredited by a Canadian Association for Laboratory Accreditation or equivalent.

13.0 Approved Waste Quantities

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

- (a) 3,000 tonnes of excess soil; and
- (b) 900 tonnes of all other waste.

13.2 The amount of waste present at the Site at any one time shall not exceed:

- (a) 6,000 tonnes of excess soil, and
- (b) 1,800 tonnes of all other waste.

13.3 The amount of residual waste transferred from the Site for final disposal shall not exceed 365,000 tonnes per year.

14.0 Waste Storage

14.1 (1) Excess soil shall be stored either indoors or outdoors in bunkers.

(2) Waste other than excess soil may be stored outdoors in leakproof and/or covered bins, or stored indoors.

(3) The tipping management of waste, other than excess soil and concrete/asphalt, shall be carried out indoors at all times.

14.2 (1) Bunkers shall be constructed on-site to accommodate excess soil loads managed at the Site. Additional bunkers may be constructed on-site and utilized as necessary, provided the total amount of waste stored on-site does not exceed the limits set out in this Approval.

(2) All bunkers at the Site shall be constructed and maintained as follows:

1. The walls of each bunker shall be constructed of brick, block, concrete, or other rigid inert material(s) able to contain the excess soil placed in it.
2. The floor of each bunker shall be graded to promote the drainage of liquid from the excess soil towards the front of the bunker.
3. The floor of each bunker shall be constructed of material that will prevent infiltration of excess water into the ground.
4. The front of each bunker shall employ a method of preventing the uncontrolled run-off of any liquid from the excess soil contained in the bunker, such as a concrete berm or a shallow trench constructed of material that will prevent infiltration of excess water into the ground.
5. Bunkers constructed to contain and/or dewater liquid soil shall employ the use of poured concrete at the base of the bunker and any other required sealants to prevent exfiltration through the ground or through the walls of the bunker.
6. Standing water collected at the front of each bunker, in excess of that required for dust management for that pile, shall be removed as necessary for off-site disposal.

14.3 Waste shall be stored in accordance with the current Design and Operations Report and the supporting documentation listed in Schedule "A". At a minimum, the Owner shall ensure that all activities related to the unloading, processing, storage and other handling of all incoming waste, in-process waste, processed material and residual waste on-site are conducted such that the operation of the Site does not result in a nuisance or an adverse effect.

14.4 Subject to Condition 2.2 above, the Owner may install weigh scales on 18 Namco Road property. Upon installation of the weigh scales, the Owner shall provide the District Manager with an updated site plan showing the location of the weigh scales.

15.0 Waste Management

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

1. the transfer of waste;
2. hand sorting of waste;
3. the grinding and crushing of asphalt and concrete;
4. the bulking of soil; and

5. the mechanical screening of excess soil, provided the equipment used to screen the soil has all required approvals issued further to Section 9 of the EPA.

15.2 Excess soil shall be managed on-site in accordance with the following:

- (1) Excess soil loads shall be segregated by source site, or by soil quality if the soil quality for all soil loads forming a part of the stockpile are known, and stored in separate concrete bunkers.
- (2)
 1. The quality of a mixture of excess soil loads from different source sites, where each soil load forming a part of the mixture has accompanying analytical data, shall be deemed to be either:
 - a. the quality based the maximum concentration of each contaminant present in any of the soil loads that form part of the mixture; or
 - b. the quality based on testing carried out in accordance with Condition 16.1 below.
 2. The quality of a mixture of excess soil loads where not every soil load has accompanying analytical data shall be deemed to be the quality based on testing carried out in accordance with Condition 16.1 below.
- (3) Each bunker containing excess soil shall be clearly marked with a sign indicating the contents of the bunker directly or a reference to records indicating the contents of the bunker. In either case, the contents of the bunker shall be described in terms of the following:
 1. soil quality;
 2. whether the bunker contains a mixture or not; and
 3. the source site(s) of the soil in the bunker.
- (4) The Owner shall ensure that all liquid from excess soil piles, including contact water, is collected in the bunker that the soil pile is contained in and is not allowed to run off the Site.
- (5) Liquid collected from an excess soil pile may only be used as dust suppressant for that pile, and shall not be mixed with any other pile on-site.
- (6) Vacuum trucks shall be available as necessary to remove excess standing water from any of the excess soil bunkers in order to prevent uncontrolled run-off or infiltration.

16.0 Soil Sampling, Analysis and Reuse

16.1 Excess soil that does not have accompanying test data shall not leave the Site for reuse unless it has been sampled and analysed in accordance with the following:

- (1) The Owner shall ensure that the number of samples collected for each stockpile is in accordance with Table 2 of Schedule E in Ontario Regulation 153/04.
- (2)
 1. The Owner shall ensure that discrete samples are taken and analysed for:
 - i. metals;
 - ii. PHCs;
 - iii. BTEX;
 - iv. VOCs
 - iv. PAHs;
 - v. ABNs.
 2. The Owner may take composite samples of SVOCs with the Henry's Law constant less than 1×10^{-5} atmosphere m^3/mol and/or vapour pressure less than 0.05 mm Hg.
 3. The Owner shall ensure that each soil load leaving the Site is solid, and shall test as necessary any soil load that does not appear to be solid using the slump test described in Schedule 9 in Reg. 347.
 4. The Owner shall ensure that any additional sampling and analysis specific to the receiving site shall be carried out as required by the local municipality, the local conservation authority and any applicable federal/provincial legislation.
 5. Should the receiving site be subject to the requirements set out in O. Regulation 153/04, the Owner shall ensure that any additional sampling and analysis specific to the receiving site shall be carried out as recommended by the Qualified Person for the receiving site.
- (3)
 1. When determining bulk concentrations of contaminants in the soil to verify compliance with the Soil Standards, the testing shall be in compliance with the "Protocol for Analytical Methods Used in the Assessment of Properties under Part XV.1 of the Environmental Protection Act", dated July 1, 2011, as amended and in accordance with the industry standards.
 2. The Owner shall submit the samples to an accredited laboratory for the required analysis. All samples shall be handled in accordance with the instructions of the accredited laboratory carrying out the analytical testing.

16.2 Excess soil to be sent off-site for beneficial reuse as described Section 5(1)3 in Ontario Regulation 406/19 shall only be sent off-site for reuse in accordance with Section 3 of Ontario Regulation 406/19 and the Soil Rules. All other excess soil shall only be transferred off-site to a waste disposal site that is approved to accept that type of material in accordance with the Environmental Compliance Approval for that site, or to a location not required to obtain an Environmental Compliance Approval to manage that material.

16.3 Rock (having a same meaning as in Ontario Regulation 406/19) or debris that does not meet the definition of inert fill set out in Reg. 347 shall only be transferred off-site to a waste disposal site that is approved to accept that type of material in accordance with the Environmental Compliance Approval for that site, or to a location not required to obtain an Environmental Compliance Approval to manage that material.

17.0 Procedures Manual and Preventative Maintenance

17.1 Prior to the receipt of waste at the Site, the Owner shall develop a procedures manual for staff use. The procedures manual shall be maintained current at all times, and shall be kept at the Site in central location that is accessible to all Site personnel. The procedures manual shall contain detailed standard operating procedures relating to all aspects of the handling and processing of waste at the Site, and shall include 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. The procedures manual shall be made available for inspection by a Provincial Officer upon request.

17.2 Prior to the receipt of waste at the Site, the Owner shall develop and implement a preventative maintenance program for all on-site equipment associated with the handling and processing of waste. The preventative maintenance program shall be available for inspection by a Provincial Officer upon request.

18.0 Design and Operations Report

18.1 The Owner shall maintain a consolidated Design and Operations Report on-site that shall be kept up-to-date and made available for inspection by a Provincial Officer upon request. The Design and Operations Report shall describe current Site operations as reflected in the conditions of this Approval, and shall contain the information specified for a waste processing site as described in the most recent version of the Ministry publication "Guide for Applying for Approval of Waste Disposal Site" as it applies to this Site.

19.0 Nuisance Control

19.1 The Owner shall operate and maintain the Site such that dust, odours, vectors, litter, vibration, noise and traffic do not result in a nuisance or an adverse effect.

- 19.2 (1) Further to Condition 15.2(5) above, liquid collected from an excess soil pile shall only be used as dust suppressant on that pile and shall not be mixed with any other pile on-site. All other dust suppression shall be carried out using a dedicated water truck as described in Schedule "A", or in an alternate manner acceptable to the District Office.
- (2) If at any time dust results in a nuisance or an adverse effect, the Owner shall develop a dust control plan, satisfactory to the District Manager, which shall detail all practical steps that the Owner shall implement to control dust at the Site.

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

20.0 Groundwater, Stormwater and Wastewater

20.1 The Owner shall ensure that all stormwater and wastewater generated at the Site is managed in accordance with all applicable provincial requirements and municipal by-laws.

21.0 Site Inspections

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

- (1) the Site is secure;
- (2) the operation of the Site is not the cause of any nuisances or adverse effects as described in Condition 19 above; and
- (3) the operation of the Site is not the cause of any adverse effects to the environment.

21.2 Any deficiencies discovered as a result of an inspection carried out under Condition 21.1 shall be remedied immediately, with corrective measures including temporarily ceasing operations at the Site if needed.

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

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

22.0 Complaints

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

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

- (a) the nature of the complaint;
 - (b) the name, address and telephone number of the complainant (if the complainant will provide this information);
 - (c) the time and date of the complaint;
 - (d) weather conditions at the time of the complaint; and
 - (e) site operations being carried out at the time of the complaint.
- (2) The Owner shall inform the District Manager of the existence and nature of the complaint within one (1) business day.
 - (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 written report within one (1) week of the complaint date, listing the actions taken to resolve the complaint and any recommendations for remedial measures, and managerial or operational changes to reasonably avoid the recurrence of similar incidents.

23.0 Spill Prevention, Control & Countermeasures Plan

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

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

- 23.2 The Owner shall review the Spill Prevention, Control & Countermeasures Plan on an annual basis as a minimum, and shall ensure that the names and telephone numbers of the persons to be contacted as required under Condition 23.1(4) are up-to-date, and that these numbers are prominently displayed and immediately available to all staff and emergency response personnel.
- 23.3 The District Manager shall be notified within thirty (30) days of any changes to the Spill Prevention, Control & Countermeasures Plan.
- 23.4 The equipment, materials and personnel requirements outlined in the Spill Prevention, Control & Countermeasures Plan are required to be kept on Site and shall be immediately available on the Site at all times. The equipment shall be kept in a good state of repair and in a fully operational condition.
- 23.5 The Owner shall promptly take all necessary steps to contain and clean up any spills or upsets which result from this operation. All spills and upsets shall be recorded in a written log or an electronic file format, as to the nature of the spill or upset, and action taken for clean-up, correction and prevention of future occurrences.
- 23.6 All spills, as defined in the EPA, shall be immediately reported to the Ministry's Spill Action Centre at 1-800-268-6060 and to the local municipal authority.

24.0 Training

- 24.1 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.
- 24.2 The training plan shall require and ensure through proper written records that all persons directly involved with activities relating to the Site have been trained with respect to:
- (1) relevant waste management legislation, regulations and guidelines;
 - (2) major environmental concerns pertaining to the waste to be handled;
 - (3) occupational health and safety concerns pertaining to the processes and wastes to be handled;
 - (4) the procedures manual, the preventative maintenance program and the Design and Operations Report;
 - (5) the Spill Prevention, Control & Countermeasures Plan and in the procedures to be employed in the event of an emergency;
 - (6) specific written procedures for refusal of unacceptable waste loads;

- (7) contingency procedures;
- (8) specific written procedures for the control of nuisance conditions; and
- (9) the requirements of this Approval.

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

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

24.4 The Owner shall ensure that Trained personnel are on duty at all times when the Site is open to carry out any activity required under this Approval.

25.0 Record Keeping

25.1 The Owner shall maintain a daily record either electronically or in a log book, with a duplicate copy to be kept at another location as a backup, which shall include the following information:

- (1) the type and quantity (by weight) of all waste received at the Site, the date and time of arrival, the source of the waste, the approval number of the hauler (unless the hauler is not required to obtain an approval for the waste loads being transported) and the vehicle license plate number, and a copy of all analyses and supporting documentation submitted with the waste;
- (2) the date, type, quantity (by weight) and destination of all residual waste transferred from the Site;
- (3) a record of all excess soil shipped from the site, including the quantity by weight, all soil analyses, and a copy of the written information required under Conditions 12 and 16 above;
- (4) a record of any waste refusals which shall include: amounts, reasons for refusal and actions taken;
- (5) a record of the daily inspections required by this Approval; and
- (6) a record of any spills or process upsets at the site, the nature of the spill or process upset and the action taken for the clean up or correction of the spill, the time and date of the spill or process upset, and for spills, the time that the Ministry and other persons were notified of the spill in fulfilment of the reporting requirements in the EPA.

26.0 Annual Report

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

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

27.0 Closure Plan

- 27.1
- (1) Four (4) months prior to the permanent closure of the Site the Owner shall submit to the District Manager written notification of the decision to cease activities and a schedule for the implementation of all decommissioning activities to be undertaken.
 - (2) Within ten (10) days after closure of the Site, the Owner shall notify the Director and the District Manager, in writing, that the Site is closed and that the decommissioning activities have been completed.

Schedule "A"

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

1. Environmental Compliance Approval Application dated May 16, 2017 signed by Laura Sciacca, CEO, 515476 Ontario Limited, including all attached supporting documentation.
2. Emails dated July 17, 2017 and August 4, 2017 from Rod Adams to Andrew Neill, P.Eng., MOECC, with additional information on material handling, zoning restrictions, and soil management.
3. Environmental Compliance Approval application dated April 21, 2021 signed by Laura Sciacca, CEO, 515476 Ontario Limited, including all attached supporting documentation.
4. Environmental Compliance Approval application dated May 26, 2023 submitted by 515476 Ontario Limited, including all supporting documentation.

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

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

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

The reason for Conditions 2.0 and 15.1 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.

The reasons for Condition 6.1 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.

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

The reason for Condition 7.0 is to ensure that sufficient funds are available to the Ministry to clean up the Site in the event that the Owner is unable or unwilling to do so.

The reason for Condition 8.0 is to ensure that appropriate Ministry staff have ready access to the Site for inspection of facilities, equipment, practices and operations required by the conditions in this Approval. This condition is supplementary to the powers of entry afforded a Provincial Officer pursuant to the EPA, OWRA and PA.

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

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

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

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

The reasons for Conditions 12.1, 13.1, 13.2, 13.3 and 14.0 are to specify the types of waste that may be accepted at the Site, the maximum amounts of waste that may be stored at the Site, the maximum rate at which the Site may receive and ship waste and the allowable methods of waste storage based on the Owner's application and supporting documentation.

The reason for Conditions 12.2 and 12.3 is to ensure that all wastes received at the Site are properly identified and classified to ensure they are managed in accordance with Reg. 347 and in a manner that protects the health and safety of people and the environment.

The reasons for Conditions 15.2 and 16.0 are to ensure that the handling of all contaminated soil is carried out in a manner consistent with the application and supporting documentation, that all soils being shipped from the Site are adequately sampled and assessed, and that a Qualified Person familiar with the receiving site and all applicable local legislation has assessed any proposed soil movement and found that it will not have an adverse impact on the receiving site.

The reason for Conditions 17.0, 18.0 and 19.0 is to ensure that the Site is operated in a manner which does not result in a nuisance or a hazard to the health and safety of people and the environment.

The reasons for Condition 20.0 are to ensure that all wastewater discharges are managed appropriately, and that appropriate groundwater monitoring is undertaken at the Site.

The reason for Condition 21.0 is to ensure that inspections of all Site grounds and infrastructure are carried out on a regular basis, and that detailed records of Site inspections are recorded and maintained for compliance and information purposes.

The reason for Condition 22.0 is to ensure that any complaints regarding Site operations at the Site are responded to in a timely manner.

The reasons for Conditions 23.0 are to ensure that an Emergency Response Plan and a Fire Safety Plan are developed and maintained at the Site, and that staff are properly trained in the operation of the equipment used at the Site and emergency response procedures.

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

The reason for Condition 25.0 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.

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

The reason for Condition 27.0 is to ensure that the Site is closed in accordance with Ministry standards and to protect the health and safety of the public and the environment.

**Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s).
9201-AQGPEN issued on March 1, 2022**

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 5th day of November, 2023



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

AN/

c: District Manager, MECP Toronto - District
Rod Adams