

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER A-500-6236321199

Version: 1.0

Issue Date: March 23, 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:*

EVSX Corp.

100 HAYES  
THOROLD ONTARIO  
L0S 1A0

*For the following site:*

100 Hayes Road , Thorold, THOROLD, ONTARIO, CANADA, L2C 0C3

*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 0.32 hectare waste transfer and processing site approved for the receipt, transfer and processing of waste alkaline batteries.

## DEFINITIONS

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

1. "Adverse Effect" has the same meaning as defined in the EPA;
2. "Approval" means this entire Environmental Compliance Approval and any Schedules attached to it;
3. "Design and Operations Report" means the Design and Operations Report, amended as Item 2 of Schedule 1 of this Approval or the most recent Design and Operations Report approved by the Ministry and amended to this Approval;
4. "Director" means a person appointed by the Minister pursuant to section 5 of the EPA for the purposes of Part II.1 of the EPA;
5. "District Manager" means the District Manager of the appropriate local district office of the Ministry, where the Site is geographically located;
6. "Emergency Response, Spill Prevention and Contingency Plan" means the report, prepared by the Owner, as described by condition no. 22 of this Approval.
7. "EPA" means the Environmental Protection Act, R.S.O. 1990, c.E.19;
8. "Financial Assurance" means the financial assurance as defined in Section 131 of the EPA;
9. "Minister" means the Minister of the Ministry or such other member of the Executive Council as may be assigned the administration of the EPA and OWRA under the Executive Council Act, R.S.O. 1990, c. E.25;
10. "Ministry" means the ministry of the government of Ontario responsible for the EPA and OWRA and includes all officials, employees or other persons acting on its behalf;
11. "NMA" means the Nutrient Management Act, 2002, S.O. 2002, c. 4;

12. "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;
13. "Owner" means any person that is responsible for the establishment or operation of the Site being approved by this Approval, and includes EVSX Corp. and its successors and assigns;
14. "OWRA" means the Ontario Water Resources Act, R.S.O. 1990, c. O.40;
15. "PA" means the Pesticides Act, R.S.O. (1990), c. P.11;
16. "Provincial Officer" means any person designated in writing by the Minister as a provincial officer pursuant to Section 5 of the OWRA, Section 5 of the EPA, Section 17 of the PA, Section 4 of the NMA, or Section 8 of the SDWA;
17. "Reg. 347" means R.R.O. 1990, Reg. 347: (General - Waste Management), made under the EPA;
18. "Schedules" means the following schedules attached to this Approval and forming part of this Approval namely:
  - Schedule 1 - Supporting Documentation
19. "SDWA" means the Safe Drinking Water Act, 2002, S.O. 2002, c. 32;
20. "Site" means the waste disposal site approved under this Approval, located at 100 Hayes Road in Thorold, Ontario.
21. "Supporting Documentation" means the documents listed in Schedule 1 of this Approval;
22. "Trained Person" means personnel knowledgeable in the following through instruction and/or practice:
  - a. relevant waste management legislation, regulations and guidelines;
  - b. major environmental concerns pertaining to the waste to be handled;
  - c. occupational health and safety concerns pertaining to the wastes to be handled;
  - d. management procedures including the safe use and operation of Site equipment;
  - e. emergency response procedures;
  - f. specific written procedures for the control of nuisance/upset conditions;
  - g. specific written procedures for refusal of unacceptable waste loads; and
  - h. the requirements of this Approval.

## 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 by this Approval, the Site shall be designed, developed, built, operated and maintained in accordance with the documentation listed in the attached Schedule 1.

2. 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; and
3. Applications to amend this Approval, for reasons other than administrative amendments, shall include submission of a revised Design and Operations Report.
4. Construction and installation of the aspects of the Site described in Items 1 and 2 of Schedule 1 must be completed within five (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.
5. 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 (4) above.

### **3. Interpretation**

1. Where there is a conflict between a provision of any document listed in Schedule 1 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 document 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, 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 and Operator to furnish any further information related to compliance with this Approval.

### **5. Adverse Effect**

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.
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. the ownership of the Site;
  - b. the Operator of the Site;

- c. the address of the Owner or Operator; and
  - d. the 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, R. S. O. 1990, c. B.17, shall be included in the notification.
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. Financial Assurance**

1. The Owner shall maintain financial assurance, as defined in Section 131 of the Act, in the amount of one hundred ten thousand one hundred seventy-five dollars and zero cents (CAD 110 175). This financial assurance shall be in a form acceptable to the Director and shall provide sufficient funds for the analysis, transportation, Site clean-up, monitoring and disposal of all quantities of waste on the Site at any one time.
2. Commencing on March 31, 2029 and at intervals of five (5) years thereafter, the Owner shall submit to the Director, a re-evaluation of the amount of financial assurance to implement the actions required under Condition 7.1. The re-evaluation shall include an assessment based on any new information relating to the environmental conditions of the Site and shall include the costs of additional monitoring and/or implementation of contingency plans required by the Director upon review of the closure plan and annual reports. The financial assurance must be submitted to the Director within 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.

## **8. Inspections by the Ministry**

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

## **9. Information and Record Retention**

1. Except as authorized in writing by the Director, all records required by this Approval shall be retained at the Site for a minimum of two (2) years from their date of creation.
2. The Owner shall retain all documentation listed in Schedule 1 for as long as this Approval is valid.
3. The Owner shall retain employee training records as long as the employee is working at the Site.

4. The Owner shall make all of the above documents available for inspection upon request of Ministry staff.
5. 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:
  - a. 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
  - b. acceptance by the Ministry of the information's completeness or accuracy.
6. The Owner shall ensure that a copy of this Approval, in its entirety and including all its Notices of Amendment, and documentation listed in Schedule 1, are retained at the Site at all times.
7. Any information related 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, RSO 1990, CF-31.

#### **10. Service Area**

1. Only waste that is generated within the geographical boundaries of the Province of Ontario shall be accepted at the Site.

#### **11. Signs and Security**

1. The Owner shall install a sign at the main entrance/exit to the Site on which is legibly displayed the following information:
  - a. the name of the Owner;
  - b. the number of this Approval;
  - c. the telephone number for the Ministry's Spill Action Centre;
  - d. the operating hours of the Site;
  - e. 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
  - f. the type of waste that is approved for receipt at the Site.
2. The Owner and Operator 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 entrance and exit gates shall be locked and the Site shall be secured against access by unauthorized persons.

#### **12. Hours of Operation**

1. The Owner shall ensure that waste receiving at the Site is restricted to between the hours of 8:30 a.m. to 4:30 p.m. Monday through Sunday.

#### **13. Approved Waste Types and Waste Screening**

1. The Owner may only accept waste batteries at the Site for waste transfer and/or processing.
  - a. Non-alkaline waste batteries may be received at the Site but shall not be processed until such a time as the Owner amends this Approval to permit such activity.
2. The Owner shall ensure all incoming loads are inspected by a Trained Person to ensure only waste approved under this Approval are received at this Site;
3. If any incoming waste load is known to, or is discovered to, contain unapproved waste, that load shall not be accepted at the Site; and
4. If any unapproved waste is discovered on-site, that waste shall be immediately disposed of in accordance with the EPA and Reg. 347.

#### **14. Approved Waste Quantities**

1. The amount of waste that may be received at the Site shall not exceed the amounts identified in the current Design and Operations Report:
  - a. A maximum of 4,200 tonnes per year (an annualized daily average of 12 tonnes per day), and
  - b. A maximum of 84 tonnes per day.
2. In the event that residual waste and/or processed waste cannot be transferred from the Site, the Owner shall cease accepting any additional waste.

#### **15. Waste Processing**

1. Processing carried out at the Site is limited to the sorting and processing of waste alkaline batteries as described in the Design and Operations Report.
2. Processing shall be conducted by Trained Persons only.
3. The Owner shall ensure the processing equipment is operated in a manner which does not cause an Adverse Effect including, but not limited to, effects from noise and dust.
4. No waste processing other than the processing of alkaline batteries shall be permitted at the Site.
5. Any processing of other wastes (including waste lithium or non-alkaline batteries) or inclusion of new waste processing equipment shall not be permitted without an amendment to this Approval.

#### **16. Waste Storage**

1. Waste must be stored in accordance with the current Design and Operations Report and at a minimum the Owner shall ensure that:
  - a. all activities related to the unloading and storing of incoming waste, in-process waste, processed waste and residual waste shall be conducted indoors at all times;
  - b. all waste batteries received at the Site are processed or transferred within one (1) week of receipt; and
  - c. processed and/or residual waste (i.e. black mass, steel, brass, plastic and paper) shall not be stored at the Site for longer than thirty (30) days once generated.
2. The maximum amount of waste, including unprocessed waste, in-process waste, processed waste and residual waste that may be stored at the Site at any one time shall not exceed 480 tonnes including:
  - a. 86 tonnes of unsorted batteries stored in drums;
  - b. 72 tonnes of sorted alkaline batteries stored in drums;
  - c. 18 tonnes of sorted non-alkaline batteries stored in drums;
  - d. 240 tonnes of black mass stored in bags; and
  - e. 62 tonnes of processed waste other than black mass, such as steel, brass, plastic and paper.
3. The Owner shall ensure that all tanks, containers, and storage areas are clearly labelled, and that a sign is posted on each tank, container and storage area indicating the type of waste being stored.

#### **17. Nuisance Mitigation**

1. The Owner shall ensure that any dirt, dust, smoke, noise, odour and/or other airborne contaminant, resulting from activities at this Site, is controlled and does not cause an adverse effect.
2. The Owner shall ensure that vehicles leaving this Site do not drag out onto roads, dirt and/or other material that may become a contaminant or cause an adverse effect.
3. The Owner shall pick up litter daily to ensure that this Site and surrounding areas are not impacted.

4. The Owner shall ensure that all litter collected is stored indoors, or if stored outdoors is stored only in closed or covered containers.
5. The Owner shall take all reasonable action to ensure that incoming or outgoing vehicles to or from this Site do not cause line-ups or similar traffic problems on the roads that provide access to this Site.
6. The Owner shall ensure exterior doors remain closed during all times (unless receiving materials at the main entrance) to mitigate potential dust migration.

#### **18. Stormwater**

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

#### **19. Site Inspections**

1. A visual inspection of the Site shall be conducted by a Trained person on each day the Site is in operation to ensure that:
  - a. the Site is secure;
  - b. any equipment used for waste processing is maintained in good working order and not a risk to the health and safety of the public or environment.
  - c. the operation of the Site is not causing any nuisances including those from dust, odours, vectors, vermin, birds, litter, noise and traffic;
  - d. that the operation of the Site is not causing any adverse effects on the environment; and
  - e. that the Site is being operated in compliance with this Approval.
2. Any deficiencies discovered as a result of an inspection shall be remedied immediately, including temporarily ceasing operations at the Site if needed.
3. A record of the inspections shall be kept in the daily log book that includes the following information:
  - a. the name and signature of the Trained person that conducted the inspection;
  - b. the date and time of the inspection;
  - c. a list of any deficiencies discovered;
  - d. any recommendations for action; and
  - e. the date, time and description of actions taken to remedy deficiency.

#### **20. 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 and number each complaint, either electronically or in a log book, and shall include the following information:
    - i. the nature of the complaint;
    - ii. the name, address and the telephone number of the complainant if the complainant will provide this information;
    - iii. the time and date of the complaint;
    - iv. weather conditions at the time of the complaint; and
    - v. Site operations being carried out at the time of the complaint.

- b. The Owner shall inform the District Manager of the complaint forthwith.
- c. 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.
- d. The Owner shall provide the District Manager with a report written within one (1) week of the complaint date, listing the actions taken regarding the complaint and any recommendations for remedial measures, and managerial or operational changes to reasonably avoid the recurrence of similar incidents.

## **21. Spill Response and Reporting**

- 1. 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.
- 2. 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.

## **22. Emergency Response and Contingency Plan**

- 1. A written Emergency Response and Contingency Plan specific to the Site shall be prepared within thirty (30) days of issuance of this Approval and shall be maintained current at all times and kept at the Site in a location that is accessible to Site personnel at all times.
- 2. The Emergency Response and Contingency Plan shall include:
  - a. detailed 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;
  - b. a list of equipment and spill clean up materials available in case of a spill or emergency;
  - c. 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.
  - d. how sorted waste and residual waste will be stored or disposed in the event that they cannot be shipped from the Site in accordance with this Approval.
- 3. The Owner shall review the Emergency Response and Contingency Plan on an annual basis as a minimum, and shall ensure that the names and telephone numbers of the persons to be contacted as required under sub-condition 2 above are up-to-date, and that these numbers are prominently displayed and immediately available to all staff and emergency response personnel.
- 4. The District Manager shall be notified within thirty (30) days of any changes to the Emergency Response and Contingency Plan.
- 5. The equipment, materials and personnel requirements outlined in the Emergency Response and Contingency Plan are required to be kept on Site and shall be immediately available on the Site at all times. The equipment shall be kept in a good and in a fully operational condition.
- 6. Within thirty (30) days of the issuance of this Approval and prior to any waste being received on site, the Owner shall notify the City of Thorold Fire Department of the Site operations which have been approved for this Site, and shall develop a Fire Safety Plan, if required. A copy of the approved Fire Safety Plan shall be submitted to the District Manager once completed.

## **23. Training**

- 1. Within thirty (30) days of the issuance of this Approval, 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.



2. The training plan shall require and ensure through written records that all persons directly involved with activities relating to the Site have been trained with respect to:
  - a. relevant waste management legislation, regulations and guidelines;
  - b. major environmental concerns pertaining to the waste to be handled;
  - c. occupational health and safety concerns pertaining to the processes and wastes to be handled;
  - d. management procedures including the use and operation of equipment for the processes and wastes to be handled;
  - e. emergency response procedures;
  - f. specific written procedures for the control of nuisance conditions;
  - g. specific written procedures for refusal of unacceptable waste loads; and
  - h. the requirements of this Approval.
3. The Owner shall maintain on-site a written record of training which includes:
  - a. the date of training;
  - b. the name and signature of the person who has been trained; and
  - c. a description of the training provided.
4. The Owner shall ensure that Trained Personnel are on duty at all times when the Site is open to carry out any activity permitted under this Approval.

#### **24. Record Keeping**

1. The Owner shall maintain a daily record on-site, either electronically or in a log book, which shall include the following information:
  - a. the type, quantity and source of all waste received at the Site, including the date and time of arrival, manifest information, and all supporting documentation submitted with the waste;
  - b. the type, quantity and destination of all waste transferred from the Site, including the date and time of transfer;
  - c. a record of any waste refusals, including the type, quantity and source of any waste refused, reasons for refusal and a description of any further actions taken;
  - d. amount of residual waste shipped for off-site disposal;
  - e. a record of the daily inspections required by this Approval;
  - f. a record of any complaints received;
  - g. training records, as required by this Approval; and
  - h. a record of any spills or process upsets at the Site, including the nature of the spill or process upset and the action taken for the clean-up or correction of the incident, 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.

#### **25. Annual Report**

1. By March 31 on an annual basis, the Owner shall prepare a written annual report covering the previous calendar

year. The report shall be maintained on-site, and shall include, at a minimum, the following information:

- a. a summary of the information required under Condition 24(1)(a) and 24(1)(b), including an annualized reconciliation between all wastes received at the Site and all wastes transferred from the Site;
- b. a summary of the information required under Condition 24(1)(c) through 24(1)(h), above; and
- c. any recommendations to minimize environmental impacts from the operation of the Site and to improve Site operations and monitoring programs in this regard.

## 26. Closure Plan

1. The Owner must submit, for approval by the Director, a written Closure Plan for the Site four (4) 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 decommissioning of the waste management operations at the Site and a schedule for completion of that work; and
2. Within ten (10) days after closure of the Site, the Owner must notify the Director, in writing, that the Site has been closed in accordance with the approved Closure Plan.

## REASONS

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

1. The reason for Conditions 1, 4, 5 and 9 is to clarify the legal rights and responsibilities of the Owner under this Approval.
2. The reasons for Conditions 2 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.
3. The reason for Condition 3 is to clarify how to interpret this Approval in relation to the application and supporting documentation submitted by the Owner.
4. The reasons for Condition 6 are:
  1. 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,
  2. to restrict potential transfer or encumbrance of the Site without the approval of the Director. Any transfer of encumbrance can be made only on the basis that it will not endanger compliance with this Approval, and
  3. 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.
5. The reason for Condition 7 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.
6. The reason for Condition 8 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.
7. The reason for Condition 10 is to specify the approved areas from which waste may be accepted and the types of waste that may be accepted at the Site, based on the Owner's application and supporting documentation.
8. The reason for Condition 11 is to:
  1. ensure that users of the Site are fully aware of important information and restrictions related to Site operations and access under this Approval, and
  2. 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.

9. The reason for Condition 12 is to specify the hours of operation for the Site based on the Owner's application and supporting documentation.
10. The reason for Condition 13 is to ensure that only waste permitted under this Approval are received at the Site and that any unapproved waste that is discovered is managed in accordance with the EPA and Reg. 347.
11. The reason for Condition 14 is to ensure that the quantities of waste received at the Site are in accordance with that approved under this Approval.
12. The reason for Condition 15 is to specify the types of waste management activities undertaken at the Site are in accordance with the Owner's application and supporting documentation.
13. The reason for Condition 16 have been included to ensure that waste storage is done in a manner which does not result in a nuisance or a hazard to the health and safety of the environment or people nor in a manner which the Director has not been asked to consider.
14. The reason for Condition 17 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.
15. The reason for Condition 18 is to ensure that stormwater generated at the Site is managed in accordance with applicable provincial requirements and municipal by-laws.
16. The reason for the condition 19 is to ensure that detailed records of Site inspections are recorded and maintained for inspection and information purposes.
17. The reason for the condition 20 is to ensure that any complaints regarding Site operations are responded to in a timely manner.
18. The reasons for Condition 21 is to ensure that the Owner notifies the Ministry forthwith of any spills as required in Part X of the EPA and that a log is maintained to record any incidents.
19. The reasons for the condition 22 is to ensure that an Emergency Response and Contingency Plan is developed and maintained at the Site and that staff are properly trained in the operation of the equipment used at the Site and emergency response procedures.
20. The reason for the condition 23 is to ensure that the Site is operated by properly trained staff which will result in the Site being operated in a manner which does not result in a hazard or nuisance to the natural environment or any person.
21. The reasons for the condition 24 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.
22. The reasons for the condition 25 are to ensure that regular review of site development, operations and waste receiving/shipping data is documented and any possible improvements to site design, operations or record keeping programs are identified. An annual report is an important tool used in reviewing site activities and for determining the effectiveness of site design.
23. The reasons for the condition 26 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.

# 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.

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 23rd day of March, 2024



Mohsen Keyvani

Director

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

c: Enrico Di Cesare  
Hadia Aziz, EVSX Corp.

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

# SCHEDULE 1

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## Supporting Documentation

1. Environmental Compliance Approval application uploaded July 12, 2023, including all attached supporting information and documentation.
2. Report entitled "Design and Operations Report" dated July 2023, prepared by WSP Canada Inc. on behalf of ESVX Corp., including all attached drawings, figures, plans and appendices.