

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 2151-CY86WQ
Issue Date: July 2, 2024

GFL Environmental Inc.
100 New Park Place, No. 500
Vaughan, Ontario
L4K 0H9

Site Location: 320 ,334, 340R and 400 Unwin Avenue
City of Toronto

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

one (1) ex-situ bioremediation facility, for the receipt and treatment of non-hazardous Excess Soil impacted with petroleum hydrocarbons, comprising of the following processes and associated equipment:

- three (3) Biopiles each having a maximum capacity of 10,000 tonnes of Contaminated Soil and the dimensions as listed in Schedule "A";
- two (2) screeners each powered by a diesel engine rated at 97 kilowatts, exhausting into the air through a stack, having an exit diameter of 0.08 metre and extending 0.30 metre above grade;
- two (2) stackers each powered by a diesel engine rated at 63 kilowatts, exhausting into the air through a stack, having an exit diameter of 0.06 metre and extending 0.28 metre above grade;
- one (1) soil storage pile having a maximum capacity of 260,000 tonnes of Contaminated Soil;
- one (1) soil storage pile having a maximum capacity of 10,000 tonnes of Processed Soil; and
- two (2) microbe tanks, each having a capacity no greater than 2,000 litres;

all in accordance with the Environmental Compliance Approval Application submitted by GFL Environmental Inc., dated September 21, 2020 and signed by Damian Rodriguez; the supporting information, including the Emission Summary and Dispersion Modelling Report, submitted by Ausenco Sustainability Inc., dated April 26, 2023 and signed by Lucas Neil; and an email February 9, 2024 from Grimaud Montignon of GFL

Environmental Inc.

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

1. "Approval" means this Environmental Compliance Approval, including the application and supporting documentation listed above;
2. "Best Management Practices Plan" means the document titled "Best Management Practices Plan: Fugitive Dust Emissions & Odour Control (Revision 9)", dated January 2022 and prepared by GFL Environmental Inc., which describes measures to minimize dust and odour emissions from the Facility and/or Equipment;
3. "Bioaugmentation Compound" means non-pathogenic, non-toxic, specialized microbes used to enhance bioremediation. In this Approval, it means the compound(s) described in the Company's application, this Approval, and in the supporting documentation submitted with the application;
4. "Biopile" means a treatment cell for Contaminated Soil undergoing biological treatment with active aeration through mechanical mixing or air injection;
5. "Biostimulation Compound" means any chemical amendment, nutrient amendment or pH adjustment chemical, other than a Bioaugmentation Compound used in the Process to enhance bioremediation. In this Approval, it means the compound(s) described in the Company's application, this Approval and in the supporting documentation submitted with the application;
6. "Company" means GFL Environmental Inc., that is responsible for the construction or operation of the Facility and includes any successors and assigns;
7. "Contaminated Soil" means the incoming Excess Soil received at the site and destined for bioremediation at the site;
8. "Director" means a person appointed for the purpose of section 20.3 of the EPA by the Minister pursuant to section 5 of the EPA;
9. "District Manager" means the District Manager of the appropriate local district office of the Ministry where the Facility is geographically located;
10. "EPA" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;
11. "Equipment" means the equipment associated with the Process described in the Company's application, this Approval, and in the supporting documentation submitted with the application, to the extent approved by this Approval;

12. "ESDM Report" means the Emission Summary and Dispersion Modelling Report which was prepared in accordance with section 26 of O. Reg. 419/05 and the Procedure Document by Ausenco Sustainability Inc., dated April 26, 2023 and signed by Lucas Neil, submitted in support of the application, and includes any changes to the report made up to the date of issuance of this Approval;
13. "Excess Soil" has the same meaning as defined in the Waste Approval;
14. "Facility" means the entire operation located on the property where the Equipment is located;
15. "Manual" means a document or a set of documents that provide written instructions to staff of the Company;
16. "Maximum Acceptable Contaminant Concentration" means the maximum allowable contaminant concentration in the Contaminated Soil that can be processed at the Facility to ensure compliance with O. Reg. 419/05 and is not likely to cause an adverse effect;
17. "Minister" means the Minister of the Environment, Conservation and Parks or such other member of the Executive Council as may be assigned the administration of the EPA under the Executive Council Act;
18. "Ministry" means the Ministry of the Government of Ontario responsible for the EPA and includes all officials, employees or other persons acting on its behalf;
19. "O. Reg. 419/05" means Ontario Regulation 419/05, Air Pollution – Local Air Quality, as amended;
20. "O. Reg. 347" means Ontario Regulation 347, R.R.O. 1990, General - Waste Management, made under the EPA;
21. "Procedure Document" means Ministry guidance document titled "Procedure for Preparing an Emission Summary and Dispersion Modelling Report" dated March 2018, as amended;
22. "Process" means the soil remediation process as described in the Company's application, this Approval, and in the supporting documentation submitted with the application, to the extent approved by this Approval;
23. "Processed Soil" means the Contaminated Soil processed at the site, where processing is limited to screening and bioremediation of the incoming Contaminated Soil, and bulking, mixing or blending of similar soils;
24. "Publication NPC-300" means the Ministry Publication NPC-300, "Environmental Noise Guideline, Stationary and Transportation Sources - Approval and Planning, Publication NPC-300", August 2013 as amended;
25. "Residual Waste" means waste resulting from the management of the Excess Soil at the Site and

destined for further management at an off-site location or final disposal;

26. "Schedule" means the schedules attached to, and forming part of, this Approval, namely:
- Schedule "A" - Biopile Parameters;
27. "Screening Equipment" means two (2) Screeners and two (2) Stackers as described in the Company's application, this Approval and in the supporting documentation submitted with the application, to the extent approved by this Approval;
28. "Source Site" means the location of origin of the Contaminated Soil which is received at the site for bioremediation treatment; and
29. "Waste Approval" means the Environmental Compliance Approval and any Schedules attached to it, including the application and its supporting documentation for activities set out under section 27 of the EPA and carried out at the Facility.

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

TERMS AND CONDITIONS

1. OPERATION AND MAINTENANCE

1. The Company shall ensure that the Equipment is properly operated and maintained at all times. The Company shall:
 - a. prepare, not later than thirty (30) days after the date of this Approval, and update, as necessary, a Manual outlining the operating procedures and a maintenance program for the Facility, including:
 - i. routine operating and maintenance procedures in accordance with good engineering practices and as recommended by the Equipment suppliers;
 - ii. frequency of inspections and scheduled preventative maintenance of the Equipment and Process;
 - iii. procedures to record the quantity of Excess Soil and Contaminated Soil received and processed at the Facility;
 - iv. procedures to verify and record the degree of hydrocarbon contamination of the Contaminated Soil and Processed Soil;
 - v. procedures to record the operation of the Process including the quantity of Contaminated

Soil in each Biopile and the quantity of Processed Soil at the Facility;

- vi. procedures to maintain the moisture and oxygen content of the Biopiles;
 - vii. procedures to prevent and/or minimize, monitor and record odour from the Facility, and measures to address odour complaints resulting from the operation of the Facility;
 - viii. procedures to prevent and/or minimize noise and fugitive dust emissions from all potential sources at the Facility;
 - ix. contingency measures to address upset conditions; and
 - x. procedures to record and respond to environmental complaints;
- b. implement the recommendations of the Manual.
2. The Company shall ensure that total quantity of Excess Soil, Contaminated Soil, Processed Soil and Residual Waste stored at the Facility, at any one time, does not exceed 300,000 tonnes.
 3. The Company shall ensure that the daily receiving rates and storage capacity of Excess soil at the site is in accordance with the Waste Approval.
 4. The Company shall ensure that the daily processing rates of Excess soil and Contaminated soil at the site is in accordance with the ESDM Report.
 5. The Company shall, upon receiving Contaminated Soil at the Facility with contaminant concentrations which exceed the Maximum Acceptable Contaminant Concentration, as measured at the Source Site, will immediately apply an initial dose of Biostimulation Compound and/or Bioaugmentation Compound to such Contaminated Soil and immediately place it within a covered Biopile with an impermeable covering until the Contaminated Soil achieves the contaminant concentrations Maximum Acceptable Contaminant Concentration.
 6. The Company shall ensure that the locations of the Biopiles, Screening Equipment and soil storage piles at the Facility are configured in accordance with the ESDM Report.
 7. The Company shall ensure that no soil handling activities, including Biopile construction or deconstruction, screening, transfer to storage locations or into vehicles, are carried out during windy conditions that could result in adverse off-site airborne impacts.

2. ODOUR CONTROL

1. The Company shall,

- a. implement the Best Management Practices Plan for the control of odorous emissions resulting from the operation of the Facility;
 - b. review and update the Best Management Practices Plan annually or at the direction of the District Manager;
 - c. record the results of each review and update as required the Best Management Practices Plan within thirty (30) days of the completion of each review;
 - d. maintain the updated Best Management Practices Plan at the Facility and make available to the Ministry upon request;
 - e. implement, at all times, the most recent version of the Best Management Practices Plan.
2. The Company shall record, either electronically or in a log book, each time a specific preventative and control measure described in the Best Management Practices Plan is implemented. The Company shall record, as a minimum:
 - a. the date when each emission control measure is implemented, including a description of the control measure;
 - b. the date when each new preventative measure or operating procedure to minimize emissions is implemented, including a description of the preventative measure or operating procedure; and
 - c. the date, time of commencement, and time of completion of each periodic activity conducted to minimize emissions, including a description of the preventative measure/procedure and the name of the individual performing the periodic activity.

3. FUGITIVE DUST CONTROL

1. The Company shall,
 - a. within thirty (30) days after the date of this Approval, implement the Best Management Practices Plan for the control of fugitive dust emissions resulting from the operation of the Facility;
 - b. review and update the Best Management Practices Plan annually or at the direction of the District Manager;
 - c. record the result of each review, and update the Best Management Practices Plan accordingly within thirty (30) days of the completion of the review;

- d. maintain the updated Best Management Practices Plan at the Facility and make available to the Ministry upon request; and
 - e. implement, at all times, the most recent version of the Best Management Practices Plan.
2. The Company shall record, either electronically or in a log book, each time a specific preventative and control measure described in the Best Management Practices Plan is implemented. The Company shall record, as a minimum:
- a. the date when each emission control measure is installed, including a description of the control measure;
 - b. the date when each new preventative measure or operating procedure to minimize emissions is implemented, including a description of the preventative measure or operating procedure; and
 - c. the date, time of commencement, and time of completion of each periodic activity conducted to minimize emissions, including a description of the preventative measure/procedure and the name of the individual performing the periodic activity.

4. RECORD RETENTION

1. The Company shall retain, for a minimum of seven (7) years from the date of their creation, all records and information related to or resulting from the recording activities required by this Approval, and make these records available for review by staff of the Ministry upon request. The Company shall retain:
 - a. all records on the operation, maintenance, repair and inspection of the Process and associated Equipment;
 - b. all records on the operation of the Process, including:
 - i. quantity of Excess Soil and Contaminated Soil received at the site;
 - ii. the concentration of the contaminants measured in the Contaminated Soil at the Source Site;
 - iii. the concentration of the contaminants measured in the Processed Soil; and
 - iv. quantity of Excess Soil, Contaminated Soil, Processed Soil, and Residual Waste at the Facility;
 - c. the log book which contains all records on the preventative and control measures implemented for each source of fugitive dust and odour emission identified in the Best

Management Practices Plan; and

- d. all records of any environmental complaints, including:
 - i. a description, time and date of each incident to which the complaint relates;
 - ii. wind direction at the time of the incident to which the complaint relates;
 - iii. the cause of the incident; and
 - iv. a description of the measures taken to address the cause of the incident to which the complaint relates and to prevent a similar occurrence in the future.

5. NOTIFICATION OF COMPLAINTS

1. The Company shall notify the District Manager of each environmental complaint within two (2) business days of the complaint. The notification shall include:
 - a. this Approval number;
 - b. a description of the nature of the complaint;
 - c. the time and date of the incident to which the complaint relates;
 - d. the wind direction at the time of the incident to which the complaint relates; and
 - e. a description of the measures taken to address the cause of the incident to which the complaint relates and to prevent a similar occurrence in the future.

6. NOISE

1. The Company shall, at all times, ensure that the noise emissions from the Facility comply with the limits set out in Ministry Publication NPC-300.
2. The Company shall restrict the screening of soil and Biopile construction or deconstruction to the daytime hours of 7:00 a.m. and 7:00 p.m.

7. PUBLIC ENGAGEMENT

1. The Company shall develop in consultation with the District Manager and the local community, a Public Engagement Plan for the Facility. The Public Engagement Plan shall:
 - a. serve as a forum for the dissemination, consultation, review and exchange of information relevant to the operation of the Facility, including environmental monitoring, maintenance

- and complaint/public concerns resolution;
- b. describe how the local community was consulted and include a list of the local community groups who were consulted; and
 - c. include a list of all Ministry comments received, if any, on the development of the Public Engagement Plan, and a description of how each Ministry comment was addressed in the Public Engagement Plan.
2. The Company shall submit the Public Engagement Plan to the District Manager not later than three (3) months after the date of this Approval or as otherwise indicated by the District Manager.
 3. Upon acceptance of the Public Engagement Plan by the District Manager, the Company shall immediately implement the Public Engagement Plan.
 4. The Company shall update the Public Engagement Plan as necessary or at the direction of the District Manager.

8. CHANGE OF OWNERSHIP

1. The Company shall notify the Director in writing, and forward a copy of the notification to the District Manger, within thirty (30) days of the occurrence of any of the following changes to the facility operations:
 - a. the ownership of the Facility;
 - b. the operator of the Facility;
 - c. the address of the Company;
 - d. the partners, where the Company is or 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;
 - e. the name of the corporation where the Company 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.
2. In the event of any change in ownership of the Facility, the Company shall notify the successor of the existence of this Approval and provide the successor with a copy of this Approval, and the Company shall provide a copy of the notification to the District Manager and the Director.

SCHEDULE "A"

Biopile Parameters

Biopile	Maximum Volume of Soil (tonnes)	Length (metres)	Width (metres)	Height (Metres)
1	10,000	45	30	12
2	10,000	45	30	12
3	10,000	45	30	12

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

1. Condition Nos. 1, 2 and 3 are included to emphasize that the Equipment must be maintained and operated according to a procedure that will result in compliance with the EPA, the Regulations and this Approval.
2. Condition No. 4 is included to require the Company to keep records and to provide information to staff of the Ministry so that compliance with the EPA, the Regulations and this Approval can be verified.
3. Condition No. 5 is included to require the Company to notify staff of the Ministry so as to assist the Ministry with the review of the site's compliance.
4. Condition No. 6 is included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the Facility.
5. Condition No. 7 is included to require the Company to properly address environmental issues that may arise from the operation of the Facility and to minimize the impact on the environment.
6. Condition No. 8 is included to require the Company to notify/report to the Ministry so that compliance with the EPA, the regulations and this Approval can be verified.

**Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s).
7257-AXSTJK issued on August 21, 2019**

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 receipt of this Notice, require a hearing by the Tribunal. Section 142 of the *Environmental Protection Act* provides that the Notice requiring the hearing 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 available 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

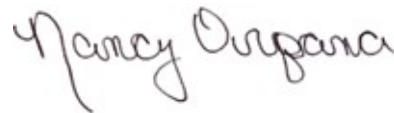
and

The 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**

The above noted activity is approved under s.20.3 of Part II.1 of the *Environmental Protection Act*.

DATED AT TORONTO this 2nd day of July, 2024



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

BR/

c: District Manager, MECP Toronto - District
Lucas Neil, Ausenco Sustainability Inc.