

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 9743-DGMQAK

Issue Date: June 5, 2025

Recycling 101 Ltd.  
139 Centre Street  
Welland, ON  
L3B 0M1

Site Location: Recycling 101 Ltd. - 139 Centre Street  
139 Centre Street  
City of Welland, Regional Municipality of Niagara

*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:*

the use and operation of a 1.98 hectare waste disposal site

to be used for the storage, transfer, and processing of the following types of waste:  
Waste Electronics and Electrical Equipment (WEEE) and Similar Metal Bearing Waste.

Note: Use of the site for any other type of waste is not approved under this environmental compliance approval, and requires obtaining a separate approval amending this environmental compliance approval.

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

"Approval" means this entire Environmental Compliance Approval and any Schedules attached to it;

"Adverse Effect" as defined in the EPA;

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

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

"EPA or Act" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;

"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;

"Fire Code" means Regulation 213/07 of the Fire Protection and Prevention Act, 1997;

"NMA" means the Nutrient Management Act, 2002, S.O. 2002, c. 4, as amended.

"Ontario Drinking Water Quality Standards" means Ontario Regulation 169/03 (Ontario Drinking Water Quality Standards) 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 Recycling 101 Ltd., its successors and assignees;

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

"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, Section 5 of the EPA, Section 17 of the PA, Section 4 of the NMA, or Section 8 of the SDWA;

"Reg. 347" means Regulation 347, R.R.O. 1990, made under the EPA, as amended;

"Regional Director" means the Regional Director of the local Regional Office of the Ministry in which the Site is located;

"SDWA" means the Safe Drinking Water Act, 2002, S.O. 2002, c. 32, as amended;

"Similar Metal Bearing Waste" means wastes with similar metal content as WEEE that is compatible with the WEEE processing;

"Site" means the facility located at 139 Centre Street, City of Welland, Regional Municipality of Niagara, authorized by this Approval;

"Trained Personnel" 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 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.

"Waste Electrical and Electronic Equipment" or "WEEE" means devices listed in Schedules 1 through 7 of Ontario Regulation 389/16, as amended.

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

## **TERMS AND CONDITIONS**

### **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.

### **In Accordance**

3. The Site shall be built and operated in accordance with the application and documentation in Schedule 1.
4. a. Construction and installation of the Site must be completed within 5 years of the later of:
  - (i) the date this Approval is issued; or
  - (ii) 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; and
- b. This Approval ceases to apply if the Site has not been constructed and operational before the later of the dates identified in Condition 4(a) above.

### **Interpretation**

5. 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.
6. Where there is a conflict between the application and a provision in any documents listed in Schedule 1, the application shall take precedence, unless it is clear that the purpose of the document was to amend the application and that the Ministry approved the amendment.

7. Where there is a conflict between any two documents listed in Schedule 1, other than the application, the document bearing the most recent date shall take precedence.
8. 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.

### **Other Legal Obligations**

9. The issuance of, and compliance with, this Approval does not:
  - a. relieve any person of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement; or
  - b. limit in any way the authority of the Ministry to require certain steps be taken or to require the Owner to furnish any further information related to compliance with this Approval.

### **Adverse Effect**

10. The Owner 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.
11. 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.

### **Change of Owner**

12. 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;
  - 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.
13. 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 works, 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.

## **Inspections**

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

## **Information and Record Retention**

15.
  - a. 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.
  - b. Records shall be retained for five (5) years except for as otherwise authorized in writing by the Director.
16. 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.

## **Site Operations**

17. The Site may only accept non-hazardous waste limited to WEEE outlined in Schedules 1 to 7 of O. Reg. 389/16, as amended. In addition, the Site may accept Similar Metal Bearing Waste, in quantities less than 1% of per day limit specified in Condition 21, that are not part of Schedules 1 to 7 of O. Reg. 389/16.

18. The Owner shall transfer scrap metal off-Site at least twice a year.
19. The Site operations shall comply with the Fire Code and local fire code by-laws.

### **Maximum Capacity**

20. The maximum amount of waste (processed and unprocessed) held at the Site at any one time shall not exceed 2,700 tonnes.
21. The maximum amount of waste received per day shall not exceed 300 tonnes.

### **Service Area**

22. This Site is approved to accept WEEE and Similar Metal Bearing Waste generated within North America.

### **Operating Hours**

23. The site can receive, process and transfer processed materials and residual waste 24 hours a day, 7 days a week given that the processing is carried out in accordance with all applicable municipal noise by laws.
24. The Owner shall ensure that during non-operating hours, the entrance/exit gate shall be locked to prevent access by unauthorized persons.

### **Sign**

25. A sign shall be posted, such that it is visible from the nearest public road, with the following information:
  - a. Name of the Site and Owner;
  - b. Approval Number for the Site;
  - c. Days and hours of operation;
  - d. Allowable waste;
  - e. Contact telephone number(s) in the event of an emergency and/or complaint; and
  - f. Warning against unauthorized access and against dumping outside the Site.

### **Site Security**

26. The Owner shall ensure that:
  - a. access to the Site is restricted by fencing and/or natural features;
  - b. fencing and lockable gate are kept in good repair; and
  - c. the Site is screened from public view facing road side.

## **Dust**

27. The Owner shall control fugitive dust emissions from on-Site waste processing operations.

## **Noise**

28. The Owner shall ensure that the noise emissions from the equipment comply with the limits determined in accordance with Ministry Publication NPC-300 "Environmental Noise Guideline, Stationary and Transportation Sources – Approval and Planning, Publication NPC-300", August, 2013, as amended.
29. In the event of any noise complaints that are substantiated by Environmental Officer, the owner shall, within 6 months or as specified by the District Manager, submit a noise impact assessment for Director's approval.

## **Litter Control**

30. The Owner shall take all practical steps to prevent escape of litter from the Site. The Owner shall inspect and collect litter from the Site weekly basis or as required.

## **Staff Training**

31.
  - a. The Owner shall ensure that a trained employee(s) is/are on duty at all times when the Site is open to ensure proper supervision of all activities; and
  - b. All incoming and outgoing wastes shall be inspected by trained personnel prior to being received, transferred and/or shipped to ensure wastes are being managed and disposed of in accordance with the EPA and Reg. 347.
32.
  - a. 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.
  - b. The training plan shall require and ensure through written records that all persons directly involved with activities relating to the Site have been trained in accordance with the specific job requirements of each individual. The training shall include, but not limited to:
    - i. Major environmental concerns pertaining to the wastes accepted at the site;
    - ii. Occupational health and safety concerns pertaining to the processes to be carried out and the wastes received;
    - iii. the Spill Prevention, Control & Countermeasures Plan, the Fire Safety Plan and any other procedures to be employed in the event of an emergency; and
    - iv. Procedures for the refusal of unacceptable waste.
  - c. The training plan shall require and ensure through written records that the personnel who supervise and oversee operations at the Site are training in:

- i. Relevant waste management legislation, regulations and guidelines; and
- ii. Terms, conditions and operating requirements of this Approval, including the control of nuisance conditions.

33. 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.

34. 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.

### **Complaints**

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

- a. The Owner shall record each complaint on a formal complaint form (written or electronic form) required by Condition 42. The information recorded shall include the nature of the complaint, the name, address and telephone number of the complainant and the time and date of the complaint;
- b. The Owner, upon notification of the complaint, shall initiate appropriate steps to determine all possible causes of the complaint, proceed to take the necessary actions to eliminate the cause of the complaint and forward a formal reply to the complainant; and
- c. The Owner shall submit a copy to the District Manager and retain on-site a report written 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 reoccurrence of similar incidents.

### **Spill Prevention, Control & Countermeasures Plan**

36. Within thirty (30) days of the issuance of this Approval, the Owner shall prepare a Spill Prevention, Control & Countermeasures Plan for the Site. The Spill Prevention, Control & Countermeasures Plan shall include, but not necessarily be limited to:

- a. emergency response procedures to be undertaken in the event of a spill or process upset,
- b. a list of equipment and spill clean up materials available in case of an emergency;
- c. 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

- d. 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.
37. 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 for use at all times. The equipment shall be kept in a good state of repair and in a fully operational condition.
38. 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.
39. 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.

#### **Fire Safety Plan**

40. No later than 3 months from the date of issuance of this Approval the Owner shall prepare and submit a Fire Safety Plan to the local fire service authority.
41. No later than 10 days after receiving written concurrence/approval for the Fire Safety Plan from the local fire service authority, the Owner shall submit a copy of the Fire Safety Plan to the District Manager.

#### **Record Keeping**

42. 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. a record of the daily inspections required by this Approval;
  - e. a record of any complaints received; and

- f. 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.

### **Annual Report**

- 43. 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 42. a) and 42. 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 42. c), 42. d), 42. e) and 42. f) 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.

### **Design and Operations Report**

- 44. The Owner shall ensure that an up-to-date Design and Operations Report is maintained at the Site for use by site personnel during the Site operations. The updated Design and Operations Report shall contain as a minimum, the following information:
  - a. outline of the responsibilities of site personnel in respect of all on-site operations;
  - b. personnel training protocol;
  - c. proper receiving and recording procedures, including wastes which are refused at the Site;
  - d. identification of all wastes and procedures for separation;
  - e. proper storage, handling, sorting and shipping procedures;
  - f. contingency procedures to be followed by personnel in the event of spill, fire and any other emergencies.

### **Closure Plan**

- 45. A Closure Plan shall be submitted to the Director for approval, with a copy to the District Manager, no later than six (6) months before the planned closure date of the Site. The Closure Plan shall include, at a minimum, a description of the work that will be done to facilitate closure of the Site and a schedule for completion of that work.
- 46. The Site shall be closed in accordance with the approved Closure Plan.

47. Within 10 days after closure of the Site, the Owner shall notify the Director, in writing, that the Site is closed and that the approved Closure Plan has been implemented.

#### **Financial Assurance**

48. No later than June 20, 2025, the Owner shall submit financial assurance as defined in Section 131 of the EPA to the Director in the amount of \$138,854. This financial assurance shall be in a form and amount acceptable to the Director and shall provide sufficient funds to pay for compliance with and performance of any action specified in this Approval, including Site clean-up, monitoring and the disposal of all quantities of waste on-site, closure and post-closure care of the Site and contingency plans for the Site.
49. Commencing on June 20, 2030, and every 5 years thereafter, the Owner shall provide to the Director a re-evaluation of the amount of the financial assurance required to facilitate the actions described under Condition 47 above.
50. The amount of financial assurance is subject to review at any time by the Director and may be amended at his/her discretion. 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 60 days before the financial assurance terminates, the financial assurance shall forthwith be replaced by cash.

### **SCHEDULE 1**

1. Design and Operations Report, ADL Process Inc., 139 Centre Street, Welland, Ontario, dated May 30, 2025, Rev. 0.1;
2. Application for Environmental Compliance Approval for Waste Disposal Site dated June 10, 2024 including all supporting documents; and
3. Emails from Brynn Laxton to the Ministry dated April 8, April 15, April 28, May 6, May 21 and May 28, 2025, including attachments.

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

*Conditions 1, 2, 4, 9, 10, 11 and 16 inclusive is included to clarify the legal rights and responsibilities of the Owner under this Approval.*

*Condition 3 is included 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.*

*Conditions 5 to 8 is included to clarify which items take precedence.*

*Condition 12 is included 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.*

*Condition 13 is included 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.*

*Condition 14 is included 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.*

*Condition 15 is included to ensure that the appropriate Ministry staff have ready access to information and the operations of the Site, which are approved under this Approval.*

*Conditions 17, 20 and 21 are included to specify the approved areas from which waste may be accepted at the Site and the types and amounts of waste that may be accepted for processing, based on the Owner's application and supporting documentation.*

*Conditions 18, 19 and 38 are included to ensure that WEEE is stored and handled in an appropriate manner.*

*Condition 22 is included to specify the approved areas from which waste may be accepted at the Site.*

*Condition 23 is included to specify the normal hours of operation for the Site and provides a mechanism to amend these hours.*

*Conditions 24 and 26 are included to ensure controlled access and integrity of the Site by preventing unauthorized access when the Site is closed and no attendant is on duty.*

*Condition 25 is included to ensure that the users of the site are aware of important information and*

*restrictions related to the Site operations under this Approval.*

*Conditions 26, 27, 28, 29, 30 and 40 are included to ensure that the Site is operated, inspected and maintained in an environmentally acceptable manner and does not result in a hazard or nuisance to the natural environment or any person.*

*Conditions 31 to 34 are included to ensure that the Site is operated by properly trained staff in a manner that does not result in a hazard or nuisance to the natural environment or any person.*

*Condition 35 is included to ensure the Owner has a procedure established to address possible complaints about the Site.*

*The reasons for Conditions 36 to 41 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.*

*Condition 42 is included to assess the effectiveness and efficiency of Site operation, and if nuisance or environmental impacts have been caused. Record keeping is necessary to confirm compliance with this Approval, the EPA and its regulations.*

*Condition 43 is included to ensure that a regular review of Site development, operations and monitoring data is documented and any possible improvements to the 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.*

*Conditions 44 is included to ensure that updated records regarding Site procedures and operations are prepared and are available to the Ministry.*

*Condition 45 to 47 are included to ensure that the final closure of the Site is completed in an aesthetically pleasing manner and to ensure the long-term protection of the natural environment.*

*Conditions 48 to 50 are included 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.*

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.

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](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 <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 June, 2025




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Mohsen Keyvani, P.Eng.

Director

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

SF/

c: District Manager, MECP Niagara District Office  
Daniel D'Alfonso and Brynn Laxton, Recycling 101 Ltd.