

**AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 1333-8W4Q5P  
Issue Date: March 12, 2026

York1 Nugget Transfer Ltd.  
5090 Commerce Blvd, No. 200  
Mississauga, Ontario  
L4W 5M4

Site Location: 300 Nugget Avenue  
Toronto, ON  
M1S 4A4

*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 2.33 hectare Waste Disposal Site (Processing and Transfer) to be used for the processing and transfer of the following types of waste:

- Non-hazardous solid waste generated within the residential, industrial, institutional and commercial sectors, received either as source separated waste or mixed waste, and includes construction and demolition waste, source separated recyclable material that has been collected from residential blue box programs;
- Waste containing dry non-excess soil that do not contain free-phase liquid; and
- Dry Excess Soil and/or Rock.

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

"Approval" means this entire provisional Environmental Compliance Approval document, issued in accordance with section 20.3 of the EPA, and includes any schedules to it, the application and the supporting documentation listed in Schedule "A";

"Approval (Air)" means Environmental Compliance Approval No. 9644-954RSD, as amended, issued in respect of activities mentioned in section 9 of the EPA at the Site;

"Competent" means an employee that has been trained through instruction and/or practice in accordance with Condition 29 of this Approval, and is qualified because of knowledge, training and experience, to organize the work and its performance;

"Design and Operations Report" means the Design and Operations Report contained within Items 2 & 7 of Schedule "A" of this Approval, or the most recent Design and Operations Report that the Owner has submitted to the Ministry in accordance with Condition 24 of this Approval;

"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;

"Dry Excess Soil" means Excess Soil that is dry soil;

"dry soil" means soil, crushed rock or soil mixed with rock or crushed rock, where it is not liquid soil;

"Engineer's Report" means a report prepared under the direction of and signed by an independent professional engineer that sets out the operating envelope;

"Excess Soil" means soil, crushed rock or soil mixed with rock or crushed rock, that has been excavated as part of a project and removed from the project area for the project, and in the context of this Approval, it does not include liquid excess soil as defined in Ontario Regulation 406/19, as amended and waste containing dry non-excess soil;

"Excess Soil Standards" means the document entitled "Part II: Excess Soil Quality Standards", published by the Ministry and dated October 10, 2025, available on a website of the Government of Ontario as Part II of the document entitled "Rules for Soil Management and Excess Soil Quality Standards";

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

"Fire Safety Plan" means a fire safety plan for the Site that is deemed to have been found acceptable by the local fire service authority;

"free-phase liquid" also known as nonaqueous phase liquid, are organic liquid contaminants, characterized as being relatively immiscible with water;

"Independent Professional Engineer" means a professional engineer licensed to practice in the Province of Ontario and who is not an employee of the Owner;

"inert fill" means earth or rock fill or waste of a similar nature that contains no putrescible materials or soluble or decomposable chemical substances but does not include excess soil;

“Infrastructure” means the structural elements that are used at the waste disposal site approved by this Approval including buildings, structures, grounds and utilities;

"Leachate Screening Levels" means values that are listed in the tables of Leachate Screening Levels within Part II – Excess Soil Quality Standards, contained in Appendix 2 of the Soil Rules;

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

“Modifications” means a change to the waste disposal site identified in the engineer’s report and approved by this Approval including changes to how the Site is used, operated, altered or enlarged;

“Municipal Waste” means municipal waste as defined in Regulation 347;

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

“Operating Envelope" means the limits on the pre-approved modifications that the Owner may make to the Site without further amendment to the Approval;

“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;

“Ontario Regulation 153/04" means Ontario Regulation 153/04: Records of Site Condition - Part XV.1 of the Act, R.S.O. 1990, c. E. 19, made under the EPA, as amended;

“Ontario Regulation 406/19" means Regulation 406/19, On-Site and Excess Soil Management, R.S.O. 1990, made under the EPA, as amended;

“Owner" means any person that is responsible for the establishment or operation of the Site being approved by this Approval, and includes York1 Nugget Transfer Ltd., its successors and assigns;

“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;

"Potentially Contaminating Activity (PCA)" means a use or activity set out in Column A of Table 2 of Schedule D that is occurring or has occurred in a phase one study area;

"Protocol for Analytical Methods Used in the Assessment of Properties under Part XV.1 of the Environmental Protection Act" means the Ministry's document entitled "Protocol for Analytical Methods Used in the Assessment of Properties under Part XV.1 of the Environmental Protection Act" dated March 9, 2004, amended July 1, 2011, and as further amended at any time;

"Processed Waste" means waste that has been sorted, baled, mulched or otherwise handled to allow the waste to be diverted for recycling;

"Processed Dry Excess Soil" means Dry Excess Soil that is recovered from the processing and after chemical characterization of waste containing dry non-excess soil;

"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 the PA or Section 4 of the NMA or Section 8 of SDWA;

"Putrescible Waste" means organic waste that rapidly decomposes, such as food waste;

"Qualified Person" or "QP" means a person who meets the qualifications to be a qualified person for conducting a Phase I ESA and a Phase II ESA and for completing certifications in a record of site condition, as set out in Section 5 of O. Regulation 153/04 made under the EPA. Qualified Person also means a person as defined in Ontario Regulation 406/19;

"Rock" means a naturally occurring aggregation of one or more naturally occurring minerals that is 2 millimetres or larger in size or that does not pass the US #10 sieve;

"Regulation 347" means Regulation 347, R.R.O. 1990, General - Waste Management, made under the EPA, as amended;

"Residual Waste" means waste that is destined for final disposal or further processing at another approved waste disposal facility;

"Reuse Site" means a site at which excess soil is used for a beneficial purpose and does not include a waste disposal site;

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

"Site" means the entire 2.33 hectare of property located at 300 Nugget Avenue, Toronto, ON;

"Soil Rules" means the document entitled "Part I: Rules for Soil Management", published by the Ministry and as amended from time to time, available on a website of the Government of Ontario as Part I of the document entitled "Rules for Soil Management and Excess Soil Quality Standards";

"Slump Test" means the Test Method for the Determination of "Liquid Waste" (Slump Test) set out in Schedule 9 in Reg. 347;

"Source Separated Waste" means waste that has been segregated by the generator for the purposes of recycling/reuse, either separately or co-mingled, through a source separation program including but not limited to a blue box or green bin program;

"TCLP" means the Toxicity Characteristic Leaching Procedure which is defined in Reg. 347 as the Toxicity Characteristic Leaching Procedure;

"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;
- h. the requirements of this Approval.

"Unprocessed Waste" means waste that has not fully completed the Owner's processing operations and is not yet in a form acceptable for diversion for recycling. Waste that is in-process is considered unprocessed waste; and

"waste containing dry non-excess soil" means soil fill material consisting of dry soil that contain debris (wood, trash, glass) and rubble (brick, concrete, masonry, cinder block) and do not meet the Dry Excess Soil definition of the Ontario Regulation 406/19, and require processing to remove debris and rubble.

*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. Compliance**

- 1.1 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.
- 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, Regulation 347, Ontario Regulation 406/19 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. 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 applications of Approvals listed in Schedule "A", the Design and Operations Report as updated from time to time, the engineer's report and the other supporting documentation listed in Schedule "A".
- 2.2 (a) Construction and installation of aspects described in Schedule "A" must be completed within 5 years of June 8, 2021.
- (b) 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(a).

## **3. 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 certificate shall not be affected thereby.

## **4. Other Legal Obligations**

- 4.1 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 including, but not limited to:
    - (i) obtaining site plan approval from the local municipal authority;
    - (ii) obtaining all necessary building permits from the local municipal authority Building

Services Division;

(iii) obtaining approval from the Chief Fire Prevention Officer, local municipal authority:  
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.

4.2 Within 60 days of the issuance of the Approval, the Owner shall submit a complete environmental compliance approval applications including all necessary supporting documents to obtain:

(a) a Site-specific s. 53, OWRA, approval; and

(b) a Site-specific s. 9 (odour) EPA approval.

## **5. Adverse Effect**

5.1 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.

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. 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:

(a) the ownership of the Site;

(b) the appointment of, or change in, an Operator of the Site;

(c) the address of the Owner or Operator;

(d) 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

(e) 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.
- 6.3 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.
- 6.4 To notify the Ministry of a name/address/ownership change, the Owner shall provide, as applicable:
  - (a) A letter from the Owner requesting a change in the name/address/ownership of the business and the date it is effective;
  - (b) A copy of all of the Environmental Compliance Approval(s) which require the name/address/ownership change;
  - (c) Proof of Legal Name (must reflect current name/address/ownership). Examples Include: Updated Corporate Profile Report, Master Business Licence, or "Initial Notice or Notice of Change"; or Articles of Incorporation; or Extra-Provincial Licence (for out of Province/State); or Birth Certificate (for applicants applying as an individual);
  - (d) For ownership changes - provide a letter from the previous owner authorizing the transfer of ownership; and
  - (e) Updated Financial Assurance to reflect the name/address/ownership change.

## **7. Financial Assurance**

- 7.1 The Owner shall maintain with the Director, Financial Assurance, as defined in Section 131 of the Act, for the amount of \$298,041.23. 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.
- 7.2 Commencing on June 30, 2029 and at intervals of every 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.

- 7.3 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.
- 7.4 Thirty (30) days prior to increasing the storage capacity of the Site in accordance with Condition 10.2(b)(v), the Owner shall submit to the Director, additional funds to increase the financial assurance required by Condition 7.1. Additional financial assurance shall be provided to the Ministry prior to increasing the amount of waste stored on Site. The amount of additional financial assurance shall be re-evaluated in accordance with the schedule outlined in Condition 7.2.

## **8. 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, 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 OWRA, the EPA, the PA, the SDWA or the NMA.

## **9. 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:
- (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.

9.3 All records required by the conditions of this Approval must be retained on Site for a minimum period of two (2) years from the date of their creation. Records related to Excess Soils shall be retained for a minimum of seven (7) years in accordance with Ontario Regulation 406/19.

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. Limited Operational Flexibility – Design, Operation and Management**

10.1 The Owner may make modifications to the Site and the Design and Operations Report in accordance with the terms of this condition and the pre-approved limits of the operating envelope as described in the Engineer's Report contained within Item 5 of Schedule "A".

10.2 For greater certainty, the following modifications to the Site are permitted as part of the operating envelope:

(a) the ability to make modifications to the Site's infrastructure including but not limited to:

(i) increasing the total waste processing floor space up to a maximum of 5000 m<sup>2</sup>;

(ii) changes in the Site configuration such as relocation of scales, driveway, office building or outdoor storage areas, modification of lighting or signage, altering stormwater drainage patterns, rearranging parking areas, etc.

(b) the ability to make modifications to the Site's processing operations and equipment including but not limited to;

(i) installation of equipment such as balers, conveyors, separation equipment, grinders, etc. to mechanize the waste processing activities;

(ii) installation of a rail siding to allow waste receipt and transfer via rail;

(iii) addition of a public drop off area;

(iv) the repurposing or expansion of the waste tipping floor(s) so long as such changes conform to municipal zoning by-law and site plan agreement requirements;

(v) increasing the amount of waste stored at this Site at any one time, up to a maximum of 1,030 tonnes of waste and 8,460 tonnes of Dry Excess Soil and/or Rock, totalling

9,490 tonnes, in proportion to increases in the waste processing floor space and financial assurance re-evaluation as required by Condition 7.2.

10.4 For greater certainty, the following are not permitted as part of the operating envelope:

- (a) extending the Site onto adjacent lands;
- (b) changing the function of the approved operations of the Site from a waste disposal site used for the sorting and transfer of solid municipal waste;
- (c) accepting any additional waste types not already included in Condition 13.0;
- (d) increasing the amount of waste received at this Site;
- (e) changes to the Site not identified in the Engineer's Report;
- (f) changes to the Site or the use of the Site that are in contravention of municipal zoning by-laws; or
- (g) changes to the Site that have requirements under the Environmental Assessment Act.

10.5 The Owner shall provide a written notification to the District Manager and Director at least fifteen (15) days prior to making modifications to the Site in accordance with Condition 10.1. At a minimum the notification shall include the following:

- (a) a description of the change to the operations of the Site including an assessment of the anticipated environmental effects of the modifications;
- (b) where the modifications involve increase the amount of waste stored on Site, a revised waste storage calculation and a financial assurance re-evaluation;
- (c) updated versions of, or amendments to, all relevant technical documents required by this Approval that are affected by the modification including but not necessarily limited to an updated Site Plan drawing, Design and Operations Report and the spill prevention, control & countermeasures plan including a document control record that tracks all changes that were made to the documents; and
- (d) a statement signed by the Owner and an Independent Professional Engineer declaring that the modifications made to the Site are done so in accordance with the operating envelope, are consistent with industry's best management practices and are not likely to result in an adverse effect.

10.6 Notwithstanding Condition 10.5, if the modifications made to the Site require an amendment to the Site's Fire Safety Plan, the Owner shall obtain the authorization of the local fire services authority prior to instituting the modifications. Confirmation of the local fire services' approval

for the proposed modifications must be forwarded to the District Manager.

## **11. Service Area and Hours of Operations**

- 11.1 Only waste that is generated within geographical boundaries of the Province of Ontario shall be accepted at the Site.
- 11.2 The Site may operate 24 hours per day, seven (7) days per week.

## **12. Signage and Security**

- 12.1 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 Site and Owner;
  - (b) the number of this Approval;
  - (c) a twenty-four (24) hour telephone number that can be used to reach the Owner in the event of a complaint or an emergency;
  - (d) the hours during which the Site is open to accept waste; and
  - (e) the type of waste that is approved for receipt at the Site.
- 12.2 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 entrance and exit gates shall be locked and the Site shall be secured against access by unauthorized persons.

## **13. Approved Waste Types**

- 13.1 The Site is approved to receive only the following categories of solid non-hazardous waste from residential, industrial, institutional and commercial sectors:
  - (a) non-hazardous, solid, mixed or co-mingled or source separated waste;
  - (b) construction and demolition waste;
  - (c) source separated organics;
  - (d) leaf and yard waste;
  - (e) wood waste;

- (f) blue box materials;
- (g) waste soil containing dry non-excess soil that do not contain free-phase liquid; and
- (h) Dry Excess Soil and/or Rock meeting the following chemical quality:
  - (i) Dry Excess Soil meeting site-specific standards but not exceeding Table 5.1 Excess Soil Standards.
  - (ii) Dry Excess Soil meeting Table 2.1, 3.1, 4.1 or 5.1 of the Excess Soil Standards
  - (iii) Rock meeting inert fill requirements outlined in Regulation 347.

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

14.1 The Owner shall ensure that the amount of waste received at the Site does not exceed:

- (a) maximum incoming rate of solid non-hazardous waste including waste containing dry non-excess soil (excluding Dry Excess Soil and/or Rock) of 1,000 tonnes per day (based on annual average) but not to exceed 365,000 tonnes per year;
- (b) maximum incoming rate of Dry Excess Soil and/or Rock of 2,000 tonnes per day (on annual average basis) but not to exceed 730,000 tonnes a year; and
- (c) Notwithstanding Condition 14.1(a) and (b), the maximum rate of incoming waste listed in Condition 13.1 shall not exceed 3,000 tonnes per day.

14.2 The waste quantities specified in Condition 14.1(c) shall not take effect until an odour approval under Section 9 of the EPA is obtained.

14.3 The Owner shall ensure that the amount of residual waste that may be transferred from the Site for final disposal does not exceed 1,000 tonnes per day, based on annual average.

#### **15. Waste Storage**

15.1 Waste shall be stored in accordance with the Design and Operations Report included in Item 7 of Schedule "A" and at a minimum the Owner shall ensure that:

- (a) only non-putrescible waste is stored outdoors;
- (b) concrete, glass, brick, wood, metals, appliances, roofing materials and co-mingled construction and demolition waste stored outdoors are to be stored in bins, unless alternative storage methods are permitted by municipal by-laws;
- (c) waste processing shall take place only indoors, with the exception of wood chipping which

may occur outdoors;

- (d) all putrescible waste shall be removed from the tipping floor within 48 hours of receipt and the tipping floor cleaned as necessary. During a long-weekend or operational upset, the Owner may store putrescible waste on the tipping floor for a maximum of 96 hours; and
- (e) all containers used for the outside storage of drywall, fibre and like processed waste shall be maintained in tarped roll-off containers, enclosed trailers or equivalent method which prevents contact with stormwater.
- (e) Dry Excess Soil and/or Rock and waste soil containing dry non-excess soil shall be stored outdoor within the Soil Processing Facility as shown on Figure 4 of the Design and Operations Report in Item 7 of Schedule "A".

15.2 The Owner may stage up to five (5) fully enclosed trailers of residual waste outdoors, on an overnight basis, as a contingency measure only, and provided that the maximum storage capacity approved in Condition 15.3(a) and 15.3(b) is not exceeded.

15.3 (a) The maximum amount of waste, including unprocessed waste, processed waste and residual waste that may be stored at the East and West Tipping Floors at any one time shall not exceed 1,024 tonnes at any time unless the waste processing floor space is increased in accordance with Condition 10.2(b)(iv); and

- (i) the maximum amount of source separated waste or non-hazardous, solid, mixed waste that may be present on the tipping floor at any one time shall be in accordance with the quantity identified in the Owner's Approval (Air); and
- (ii) no more than forty-five (45) 30.6 m<sup>3</sup> bins (or equivalent volume) of non-putrescible processed waste may be stored outdoors at any one time; and
- (iii) no more than four (4) fully enclosed tractor trailers of non-putrescible processed waste may be stored outdoors at any one time.

(b) The maximum amount of Dry Excess Soil and/or Rock that may be stored at the Site at any one time shall not exceed 5,640 tonnes unless the Soil Processing Facility floor space is increased in accordance with Condition 10.1.

15.4 If the waste processing floor space is increased in accordance with Condition 10.2(b)(v), the amount of waste that may be received and stored at the Site shall not exceed the amounts stated in the Operating Envelope maximums of Condition 10.2(b).

15.5 In the event that residual waste and/or processed waste cannot be transferred from the Site, and the maximum storage capacity approved by Condition 15.3(a)&(b) has been reached, the Owner shall cease accepting any additional waste.

## **16. Waste Receipt - General**

- 16.1 Trained Personnel shall supervise all shipments of waste received at the Site. Prior to any shipment being unloaded, Trained Personnel shall review the accompanying information for that shipment, and examine the contents of the truck where possible, to ensure the waste matches the description provided and that the waste is permitted to be received further to the conditions of this Approval. If any shipment is suspected of containing unapproved waste, that shipment shall be refused and shall not be unloaded at the Site.
- 16.2 Trained Personnel shall examine all shipments of waste while they are being unloaded. If at any time a shipment is discovered to contain unapproved material, the shipment shall be refused and all portions of the shipment that can be recovered shall be removed from the Site.
- 16.3 In the event that a shipment of waste is rejected from the Site, the Owner shall forthwith (within 10 business days) notify the District Office of the following in writing:
- a. the name of the company that brought the rejected load to the Site;
  - b. the license plate number of the vehicle that brought the rejected load to the Site;
  - c. a description of the rejected waste and the reason for rejecting the shipment;
  - d. the destination of the rejected waste if the driver provides that information.
- 16.4 Rubble and debris recovered from the processing of waste containing dry non-excess soil may be stored in a segregated area in the Soil Operations Facility as shown on Figure 4 of the Design and Operations Report in Item 7 of Schedule "A".

## **17. Processing Operations**

- 17.1 Processing of non-hazardous solid waste non-hazardous, solid, mixed or co-mingled or source separated waste, construction and demolition waste, leaf and yard waste, wood waste and blue box materials shall be conducted indoor in the waste processing/transfer facility.
- 17.2 Outdoor processing of waste containing dry non-excess soil is limited to segregation of gravel, soils, debris and rubble using K6 Scalping Screener or equivalent screening equipment.
- 17.3 No processing of Dry Excess Soil is permitted except receipt, storage and transfer to a reuse site.

## **18. Incoming Dry Excess Soil Documentation**

- 18.1 Prior to accepting any Dry Excess Soil at the Site, the Owner shall acquire from the source site owner/generator, the documentation that contains information on the source site and the characterization information of the incoming Dry Excess Soil to confirm that the Dry Excess Soil meets approved waste type specified in Condition 13.1(h) and it shall:
- a. be reviewed and deemed acceptable by Trained Person;

- b. be for the Dry Excess Soil from each source site;
- c. include the following source site information:
  - i. the generator's name and/or Owner name, address and contact information;
  - ii. the source site location;
  - iii. current source site's activities and land use;
  - iv. past source site's activities and land use, if known. Including identifying any certain or likely Potentially Contaminating Activity; and
  - v. estimated quantity of the Dry Excess Soil to be received at the Site from that source site.

18.2 Dry Excess Soil may be received at the Site with incomplete characterization documentation or without the required characterization documentation, provided that the Dry Excess Soil is expected to be a solid non-hazardous waste, if one of the following requirements is complied with:

- (a) the incoming Dry Excess Soil shall be segregated from all other Dry Excess Soils and waste until the complete documentation is promptly (within 72 hours) provided by the source site owner/generator, received by the Owner and deemed acceptable by the Trained Person; or
- (b) the incoming Dry Excess Soil shall be segregated from all other Dry Excess Soil, and wastes until the Dry Excess Soil is characterized within 10 business days at the Site in accordance with Section B, Part I of the Soil Rules.

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

18.4. The documentation required in 18.1 shall also include sampling and testing protocols, methods and analytical results to demonstrate that the Dry Excess Soil is a solid non-hazardous waste. As a minimum, the characterization documentation shall include:

- (a) 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 and in accordance with sections 1 to 4 of Section B of Part I of Soil Rules;
- (b) the following characterization results:
  - i. slump from the Slump Test, if the Dry Excess Soil has a high moisture content;

- ii. characterization to demonstrate that the Dry Excess Soil is a non-hazardous waste which was done in accordance with the following:
  - A. sampling and testing results to demonstrate that the Dry Excess Soil does not trigger any criteria from the hazardous waste definition from Reg. 347, including TCLP analysis results, from samples:
    - 1. collected in accordance with the procedures set out in the Ministry's document entitled "Principles of Sampling and Analysis of Waste for TCLP under Reg. 347", as amended; and
    - 2. tested for contaminants of potential concern identified by QP and determined from the information contained in the general documentation required in Condition 18.1 and analysed with methods in accordance with the Ministry-published methods and as recommended by the accredited laboratory service provider.

## **19. Soil Management**

### Dry Excess Soil

- 19.1 The Owner must ensure that all of the residual waste generated at the Site are disposed in accordance with Regulation 347 requirements.
- 19.2 Dry Excess Soil shall be stored outdoor in clearly marked designated areas/bunker as per the chemical quality of the Dry Excess Soil received.
- 19.3 Dry Excess Soil and/or Rock that have been sampled and analyzed must be kept segregated based on the table of Excess Soil Standards that the Dry Excess Soil and Rock meets. Blending or mixing or co-mingling of Dry Excess Soil of different chemical quality either originated from the same project area or different project areas is not permitted.
- 19.4 Dry Excess Soil that meet the site-specific standards must also comply with the contaminant limits set out in Table 5.1 of the Excess Soil Standards. In case the site-specific standards exceed Table 5.1 limits of the Excess Soil Standards, such Dry Excess Soil shall either not be accepted at the Site or, if received, must be removed from the Site within 72 hours of its receipt.
- 19.5 The height of any outdoor Dry Excess Soil or Rock or waste containing dry non-excess soil stockpile shall not exceed 2 m in order to prevent/control wind blown soil erosion and minimize dust impact.
- 19.6 Dry Excess Soil shall be stored in dedicated outdoor storage bunkers as shown in the Design and Operations Report included as Item 7 in Schedule "A". 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.

19.7 Rock shall be stored in a separate bunker. Rock shall be characterized as per Section B, Part I of the Soil Rules.

19.8 All bunkers at the Site shall be constructed and maintained as follows:

- (a) The walls of each bunker shall be constructed of brick, block, concrete, or other rigid inert material(s) able to contain the waste placed in it.
- (b) The floor of each bunker shall be graded to promote drainage away from the bunker.
- (c) The floor of each bunker shall be asphalt paved so as to prevent exfiltration into the subsurface.
- (d) Each bunker containing Dry 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:
  - i. soil chemical quality;
  - ii. the source site(s) of the soil in the bunker.
  - iii. Estimated quantity
  - iv. Un-characterized soils and the source

Waste containing dry non-excess soil

19.9 The uncharacterized and unprocessed waste containing dry non-excess soil from different project areas must be kept in segregated bunkers/areas.

19.10 The Owner shall chemically characterize Dry Excess Soil recovered from the processing of waste-containing dry non-excess soil in accordance with Section B, Part I of the Soil Rules within 72 hours after processing of waste containing dry non-excess soil is complete. Any recovered soils that do not meet Table 5.1 of the Excess Soil Standards shall be removed within 72 hours from the Site .

19.11 Processed Dry Excess Soil recovered from processing waste containing dry non-excess soil shall be stored in dedicated bunkers based on their chemical quality. Processed Dry Excess Soil of similar chemical quality, meaning meeting the same soil reuse standards for the same land use, may be mixed or blended. Mixing or blending or co-mingling of Processed Dry Excess Soil of different chemical quality is not permitted.

19.12 Processed Dry Excess Soil shall be slump tested as per Soil Rules to ensure the Processed Dry Excess Soil meet the dry soil requirements outlined in the Soil Rules.

19.13 Residual waste generated from the processing of waste-containing dry non-excess soil shall be stored outdoors in accordance with Condition 16.4.

## **20. Outgoing Dry Excess Soil Criteria**

20.1 No Dry Excess Soil and Processed Dry Excess Soil shall leave the Site for reuse unless the Owner shall complete the following prior to shipping for reuse from the Site:

- (a) the soil characterization is carried out by, or under the supervision of, a Qualified Person, and all characterization documentation is prepared by a Qualified Person;
- (b) the soil is tested using the TCLP test, and any other analytical results required to confirm that the soil not a hazardous waste as defined in Regulation 347;
- (c) the soil is tested using the Slump Test;
- (d) the soil is sampled in accordance with the stockpile sampling frequency set out in paragraph 2(3)16 of Section B of Part I of the Soil Rules for the contaminants listed in paragraph 2(3)14 of Section B of Part I of the Soil Rules, and that the samples are handled, stored and analyzed in accordance with subsection 2(4) in Section B of Part I of the Soil Rules;
- (e) all analysis of soil samples is carried out by an accredited laboratory (Canadian Association for Laboratory Accreditation or equivalent).

20.2 For the purpose of compliance with Condition 20.1(d), discrete samples of Dry Excess Soil and Processed Dry Excess Soil shall be collected and analysed, at minimum, for the following parameters:

- (a) metals;
- (b) hydride-forming metals;
- (c) petroleum hydrocarbons (PHCs) [F1 to F4];
- (d) Benzene, toluene, ethylbenzene, xylene (BTEX);
- (e) Sodium adsorption ratio (SR) and electrical conductivity (EC);
- (f) Volatile organic compounds (VOC); and
- (g) Semi-volatile organic compounds (SVOC) including polychlorinated biphenyls (PCB); and
- (h) leachate analysis for certain contaminants as outlined in subsection 2 (5) in Section B of

PART I of Soil Rules.

20.3 The Owner shall maintain a Quality Assurance/Quality Control (QA/QC) program for sampling and analysis of wastes, as required by this Approval, and shall make the results of the QA/QC program, including all analyses carried out by an accredited laboratory service provider, available for inspection upon request by the District Manager, the Director and any Provincial Officer.

**21. Processed Soil Reuse**

21.1 The Owner shall ensure that no Dry Excess Soil and Processed Dry Excess Soil is transferred from the Site except to be deposited at a property or a site in accordance with one of the following criteria:

- (a) to an approved waste disposal facility permitted to accept soil under Part V of the EPA;
- (b) to an approved waste disposal site for use as daily cover or intermediate cover in accordance with the requirements of the Environmental Compliance Approval for the receiving site;
- (c) to a receiving property that has been assessed by a Qualified Person who confirms that the receiving site has a fill management plan and that the soil quantity and quality is acceptable for the intended receiving property such that it will not cause an adverse effect to human health or the environment;
- (d) to a receiving property that has site specific standards developed in a risk assessment as outlined in Ontario Regulation 153/04 made under the EPA, and which the soil meets; and
- (e) the Owner shall ensure that for any soil that is to be transferred to a receiving property to be used as clean fill, a copy of the analytical results are forwarded to the receiving property.

21.2 Dry Excess Soil and Processed Dry 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 Dry Excess Soil and Processed Dry 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.

21.3 Rock that meets the Regulation 347 inert fill criteria set out in, meaning it does not contain putrescible materials or soluble or decomposable chemical substance, shall be sent out off-site for reuse or processing in accordance with Regulation 347 requirements.

21.4 Rock (having a same meaning as in Ontario Regulation 406/19) 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.

- 21.5 Before shipping any Dry Excess Soil or Processed Dry Excess Soil or Rock from the Site to a receiving property (that is, a property other than a waste disposal site approved under Part V of the EPA), the Owner shall require the following:
- (a) a record of the receiving property owner's name and/or Owner name, contact information, receiving site address, any correspondence with the receiving property, and the quantity of soil or soil-like waste or Rock being sent to the receiving property;
  - (b) written confirmation from the Qualified Person that they:
    - i. have assessed the receiving property;
    - ii. have identified the applicable soil quality standards for the receiving property as required by the local municipality, the local Conservation Authority, any applicable provincial/federal legislation, or (in the absence of such requirements) as recommended by the Qualified Person;
    - iii. have reviewed the test results for the soil and agree that the testing is sufficient to establish compatibility of the waste with the receiving property and that the waste meets the criteria for the receiving waste; and
    - iv. agree that the soil quantity and quality meet the requirements of the fill management plan for the receiving property.
  - (c) written confirmation from the receiving property owner that the soil quality and quantity to be provided is appropriate to the receiving property based on the recommendation of the Qualified Person, and that the receiving property agrees to accept it.
- 21.6 Dry Excess Soil, Rock and Processed Dry Excess Soil can only be transferred to a pit or quarry for pit rehabilitation under the Aggregate Resources Act, R.S.O. 1990, c.A.8 only if:
- (a) a Qualified Person has confirmed, in writing, that the concentrations of constituent contaminants of the soil and Rock, and the deposition of the soil or Rock at the pit or quarry, are in accordance with the Aggregate Resources Act, R.S.O. 1990, c.A.8 and the regulations, the site plan and the conditions of the licence or permit under the Aggregate Resources Act, R.S.O. 1990, c.A.8; and
  - (b) Qualified Person has determined it is appropriate to bring the soil or Rock to the pit or quarry, and this determination was done with consideration given to the contaminant volumes and loading, the impacts on the existing conditions at the pit or quarry, and the introduction of new contaminants to the pit or quarry.

## **22. Procedures Manual and Preventative Maintenance**

- 22.1 The Owner shall have in place a procedures manual specific to the Site which is maintained current at all times and kept at the Site in central location that is accessible to all employees. The procedures manual shall contain detailed standard operating procedures relating to all aspects of the handling and processing of waste at the Site including contingency procedures to be followed in the event of equipment malfunction, a labour disruption, transportation disruption, inability of receiving sites to accept waste, Reuse Sites to accept Dry Excess Soil, Rock and Processed Dry Excess Soil, or other business disruption to the operation.
- 22.2 The Owner shall have in place a preventative maintenance program for all on-site equipment associated with the handling and processing of waste. The preventative maintenance program shall specifically stipulate the equipment, or part of the equipment, to be inspected and the frequency of the inspections required based on manufacturers' recommendations or good industry practise. The preventative maintenance program shall be available on Site for inspection by a Provincial Officer upon request.

## **23. Design and Operations Report**

- 23.1 The Design and Operations Report shall be kept up-to-date, with any changes to the Design and Operations Report requiring approval being submitted to the Director for approval prior to implementation.
- 23.2 Changes to the Site's operations that:
- (a) do not require an amendment to this Approval under Section 27 of the EPA shall be recorded in a revisions tracking log in the Design and Operations Report and submitted to the District Manager for record keeping; and
  - (b) require an amendment to this Approval under Section 27 of the EPA shall not be implemented on-site or included in the Design and Operations Report until they have been approved by the Director.
- 23.3 An updated Design and Operations Report, including the revisions tracking log noted above, shall be submitted with all future Environmental Compliance Approval applications for the Site.
- 23.4 The Design and Operations Report shall be retained at the Site and available for inspection by a Provincial Officer upon request.

## **24. Nuisance Control**

- 24.1 The Owner shall operate and maintain the Site such that the dust, odours, vectors, birds, litter, vibration, noise and traffic do not create a nuisance.
- 24.2 If at any time vectors or vermin become a nuisance, the Owner shall hire a qualified, licensed

pest control professional to design and implement a pest control plan for the Site. The pest control plan shall then remain in place until the Site has been closed and this Approval has been revoked.

- 24.3 The Owner shall implement a litter control plan to minimize and control litter at the Site.
- 24.4 If at any time odours are generated at the Site resulting in complaints, the Owner shall take appropriate remedial actions immediately to eliminate the cause of the problem. Appropriate measures may include the removal of waste from the Site and temporary stoppage of all operations until the problem has been rectified and measures have been undertaken to prevent future occurrence.
- 24.5 The Owner shall ensure that any waste causing a nuisance or Adverse Effect shall be removed from the Site no later than 6 hours of the commencement of the nuisance or Adverse Effect.
- 24.6 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.
- 24.7 The Owner shall ensure that vehicles leaving this Site do not drag dirt and/or other material that may become a contaminant or a nuisance onto public roads.
- 24.8 The Owner shall ensure the following to minimize impacts from wind-blown dust:
- (a) cloth barrier material is attached to all perimeter fencing, or other barriers such as concrete blocks or acoustic barriers are employed in a manner that prevents off-site impacts from wind-blown dust;;
  - (b) stockpiles are wetted as necessary, using water from the municipal water supply;
  - (c) water from the municipal water supply is used as necessary during any outdoor loading or unloading operation; and
  - (d) the site is wet-swept clean three times per day using water from the municipal water supply.

## **25. Stormwater Management**

- 25.1 Within 60 days of the issuance of the Approval, the Owner shall submit a complete environmental compliance approval application including all necessary supporting documents to obtain a Site-specific s. 53, OWRA, approval.
- 25.2 The waste quantities specified in Condition 14.1(c) shall not take effect until a site-specific approval under Section 53 of the OWRA is obtained.
- 25.3 The Owner shall manage all discharges from this Site, including sanitary and stormwater run-off,

in accordance with applicable municipal, provincial and/or federal legislation, regulation and by-laws.

## **26. Complaints**

26.1 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; and
  - (iii) 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 complete 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 recurrence of similar incidents.

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

27.1 The emergency response and contingency plan provided in Appendix T of the Design and Operations Report included as Item 7 of this Approval shall be kept up to date, and a copy shall be retained and accessible to all staff at all times.

27.2 The equipment, materials and personnel requirements outlined in the emergency response plan 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.

27.3 Each staff member that operates the Site shall be fully trained in the use of the equipment they are required to operate under the emergency response plan and in the procedures to be employed in the event of an emergency.

27.4 The Owner shall immediately take all measures necessary to contain and clean up any spill (as defined in the EPA) which may result from the operation of this Site and immediately implement the emergency response plan if required.

27.5 All spills, as defined in the EPA, shall be immediately reported to the Ministry's Spill Action Centre at 1-800-268-6060.

27.6 In accordance with Condition 10.6 requirements, the Owner shall update the Fire Safety Plan provided in Appendix U of the Design and Operations Plan, included as Item 7 in Schedule "A" of this Approval and provide a copy of the revised Fire Safety Plan to the local Fire Department for review and approval within 60 days of the issuance of this Approval. A copy of the approved revised Fire Safety Plan by local Fire Department shall be provided to the District Manager within 15 days of receiving acceptance of the plan by the Fire Department.

## **28. Staff Training**

28.1 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.

28.2 (a) 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:

- (i) an outline of the responsibilities of the Site personnel;
- (ii) personnel training protocols;
- (iii) any environmental concerns pertaining to the wastes and Excess Soils accepted at the Site;
- (iv) occupational health and safety concerns pertaining to the wastes and Excess Soils received;
- (v) operation and management of the Site, or area(s) within the Site, in accordance with the specific job requirements of each individual;
- (vi) proper receiving and recording procedures (including recording procedures of wastes which are refused at the Site);
- (vii) proper storage, handling, sorting and shipping procedures;
- (ix) spill prevention, control & countermeasures plan;
- (x) inspection procedures, nuisance impact control procedures and record keeping procedures;
- (xi) procedures for recording and responding to public complaints.

(b) The Owner shall ensure that Site personnel who oversee operations at the Site are trained,

and receive annual refresher training in:

- (i) relevant waste management legislation, including but not limited to Regulation 347;
- (ii) terms, conditions and operating requirements of this Approval.

28.3 The Owner shall review the training plan and update it as necessary whenever modifications are made to the Site in accordance with Condition 10 of this Approval, or on an annual basis as a minimum.

28.4 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.

## **29. Site Inspections**

29.1 An inspection of the entire Site and all equipment on the Site shall be conducted three times within 24 hours on each day the Site is in operation to ensure that:

- (a) the Site is secure;
- (b) that the operation of the Site is not causing any nuisances;
- (c) that the operation of the Site is not causing any adverse effects on the environment; and
- (d) that the Site is being operated in compliance with this Approval.

29.2 Any deficiencies discovered as a result of an inspection shall be remedied immediately, including temporarily ceasing operations at the Site if needed.

## **30. Record Keeping**

30.1 The Owner shall maintain a daily record, either electronically or in a log book, which shall include the following information:

- (a) date of record; and
- (b) the type, source, and quantity (by weight) of all waste received at the Site; and
- (c) the type, quantity (by weight) and destination of all residual waste and processed waste transferred from the Site; and
- (d) a running total of the amount of all waste (processed, unprocessed and residual) and Excess Soil present on Site at any time.

30.2 The Owner shall maintain a record of any spills or process upsets that occur at the Site. The

information to be recorded shall include, but not be limited to, the following:

- (a) the date and time of the spill or process upset;
- (b) the nature of the spill or process upset;
- (c) the action taken for the clean up or correction of the spill;
- (d) for spills, as defined under the EPA, the time that the Ministry and other persons were notified of the spill in fulfilment of the reporting requirements of Condition 27.5.

30.3 The Owner shall maintain a record of the inspections undertaken in accordance with Condition 29.1. The inspection record shall include, but not be limited to, the following information:

- (a) the date and time of inspection;
- (b) the name and signature of the person that conducted the inspection;
- (c) a list of the areas inspected;
- (d) a list of any deficiencies discovered;
- (e) any recommendations for action; and
- (f) the date, time and description of actions taken.

30.4 The Owner shall maintain a record of preventative maintenance undertaken in accordance with Condition 22.2. The record shall include, but not be limited to, the following:

- (a) date of record;
- (b) name, title and signature of the person performing the maintenance;
- (c) a listing of all equipment inspected and the maintenance task carried out;
- (d) any recommendations for remedial action.

30.5 The Owner shall maintain a written record of training required by Condition 28. The record shall include, but not be limited to:

- (a) date of training;
- (b) the name and signature of the person who has been trained; and

- (c) description of the training provided.

### **31. Annual Report**

31.1 By March 31 of each year, the Owner shall prepare and retain on Site a written report for the previous calendar year. The report shall include, at a minimum, the following information:

- (a) a detailed monthly summary reconciling all wastes and Dry Excess Soil received and processed at the Site and all residual wastes and processed wastes transferred from the Site;
- (b) 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;
- (c) any environmental and operational problems, that are likely to negatively impact the environment, encountered during the operation of the Site and during the facility inspections and any mitigative actions taken;
- (d) a summary of complaints received and the actions taken to mitigate the issue associated with the complaint;
- (e) a summary of any changes to the Engineer's Report and/or the Design and Operations Report that have been approved by the Director since the last annual report;
- (f) a summary of any changes to the Design and Operations Report and the spill prevention control and countermeasures plan that were made in accordance with Condition 10 of this Approval;
- (g) a review of the financial assurance in accordance with Condition 7.2;
- (h) any recommendations to minimize environmental impacts from the operation of the Site and to improve Site operations and monitoring programs in this regard; and
- (i) summary statement as to compliance with all Conditions of this Approval and with the inspection and reporting requirements of the Conditions herein.

### **32. Closure Plan**

- 32.1 (a) 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 the closure activities in accordance with the decommissioning activities outlined in Item 7 of Schedule "A".
- (b) 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 Environmental Compliance Approval No. 1333-8W4Q5P.

1. Environmental Compliance Approval Application, signed by F. Gazze, President, 2264201 Ontario Inc., dated January 10, 2012.
2. Design & Operations Report, Nugget Waste Processing and Transfer Facility, prepared for 2264201 Ontario Inc., prepared by R.J. Burnside & Associates Limited, dated January 2012.
3. Engineer's Report, Nugget Waste Processing and Transfer Facility, prepared for 2264201 Ontario Inc., prepared by R.J. Burnside & Associates Limited, dated January 2012.
4. A Letter dated April 11, 2016 submitted by Mr. Frank Gazze, President, 2264201 Ontario Inc. to Tesfaye Gebrezghi, P.Eng.m, Director, District Manager, MOECC Toronto District, Re: Owner/operator change ECA no. 1333-8W4Q5P.
5. Application for an Environmental Compliance Approval for a Waste Disposal Site dated September 28, 2020 signed by Frank Gazze, President, 2264201 Ontario Inc. with all attached supporting information including, but not limited to:
  - Tab G1 - Environmental Compliance Approval Application;
  - Tab G2 - Cross reference for Supporting Application Documents;
  - Tab G3 - Enhanced EBR Description
  - Tab G4 - Geo-referenced and Zoning Figures
  - Tab G5 - Community Consultation Record
  - Tab W1 - Design and Operations Plan (revised June 2021)
  - Tab W2 - Engineer's Report (revised June 2021)
  - Tab W3 - Limited Operational Flexibility Declarations
  - Tab A1 - Emission Summary and Dispersion Modeling Report
  - Tab A2 - Acoustic Assessment Report
6. Environmental Compliance Approval Application dated July 30, 2024, received on September 6, 2024.
7. Updated Design and Operations Report, York 1 Nugget Transfer Ltd., Version 1.2, dated February 12, 2026.

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

*Conditions 1, 4, 5, and 9 are to clarify the legal rights and responsibilities of the Owner under this Approval.*

*Conditions 2, and 10 are 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.*

*Conditions 3 are to clarify how to interpret this Approval in relation to the application and supporting documentation submitted by the Owner.*

*Condition 6.1 is to ensure that the Site is operated under the corporate name which appears on the application form submitted for this approval and to ensure that the Director is informed of any changes.*

*Condition 6.2 is 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.*

*Conditions 6.3 and 6.4 are 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 "A".*

*Condition 7 is 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.*

*Condition 8 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, the OWRA or the PA, the NMA, or the SDWA.*

*Condition 11.1 is to specify the approved areas from which waste may be accepted at the Site, based on the Owner's application and supporting documentation.*

*Condition 11.2 is to specify the hours of operation for the Site based on the Owner's application and supporting documentation.*

*Condition 12.1 is to ensure that emergency responders, users of the Site and the public have the necessary information regarding Site operations and in the event of an emergency or complaint.*

*Condition 12.2 is to ensure that the Site is secure when unattended to prevent vandalism or theft.*

*Condition 13 is included to specify the type of waste the Site is approved to receive.*

*Condition 14 is included to specify quantities of waste received at the Site.*

*Condition 15 is to ensure that waste storage is done in a manner and duration which conforms with municipal zoning bylaws and which does not result in a nuisance or a hazard to the health and safety of the environment or people.*

*The reason for Condition 16 is to ensure that all wastes received at the Site are received by properly Trained Personnel to ensure they are managed in a manner that protects the health and safety of people and the environment.*

*Conditions 17, 22, 24 and 25 are 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.*

*Condition 18 are included to ensure incoming waste is properly classified and specify sampling and testing requirements of the incoming waste.*

*The reasons for Condition 19 is to specify requirements for the management of incoming Dry Excess Soil and waste containing dry non-excess soil based on the Owner's application and supporting documentation and to ensure that the Site is operated in a manner which does not result in a nuisance or a hazard to the health and safety of the environment or people.*

*The reasons for Condition 20 is to ensure that all processed material is tested and to ensure that any processed material is only sent off-site for reuse to an appropriate receiving facility.*

*The reasons for Condition 21 is to ensure that processed material is only sent off-site for reuse to an appropriate receiving facility.*

*The reason for Conditions 23 is to ensure that the Design and Operations Report is maintained, up-to-date and available at the Site at all times and to ensure that any changes to the Report are done with prior approval from the Ministry.*

*The reason for Condition 26 is to ensure that any complaints regarding Site operations at the Site are responded to in a timely manner.*

*The reasons for Condition 27 is to ensure that an emergency response plan and a spill management 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 28 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 29 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 30 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 31 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 Conditions 32 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) 1333-8W4Q5P issued on September 20, 2024**

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

The Minister of the Environment,  
Conservation and Parks

The Director appointed for the purposes of  
Part II.1 of the *Environmental Protection Act*  
Ministry of the Environment,

Toronto, Ontario  
M5G 1E5  
OLT.Registrar@ontario.ca

and

777 Bay Street, 5th Floor  
Toronto, Ontario  
M7A 2J3

and

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 12th day of March, 2026



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Mohsen Keyvani, P.Eng.

Director

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

AQ/

c: District Manager, MECP Toronto - District  
George Kirchmair P. Eng.

Viktor Kopetsky, P.Eng. [VKopetsky@york1.com](mailto:VKopetsky@york1.com), York1 Environmental Ltd.