

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 6567-5ADLUE
Issue Date: April 13, 2026

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

Site Location: 375 Gage Avenue North
Hamilton, ON,
L8L 7B1

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 2.064 hectares (ha) waste disposal site to be used for the transfer/processing of the following types of waste:

- solid non-hazardous municipal waste limited to construction and demolition waste including asbestos waste; and
- Dry Excess Soil and/or Rock.

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

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

"Approved Waste" means municipal waste as defined in Regulation 347, limited to construction and demolition waste including asbestos waste and Dry Excess Soil and/or Rock;

"Approval" means this Environmental Compliance Approval and any Schedules to it, including the application and supporting documentation listed in Schedule "A";

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

"Design and Operations Report" means the Design and Operations Report contained in Schedule "A"

of this Approval, or the most recent Design and Operations Report that the Owner has submitted to the Ministry;

"Director" means any Ministry employee pursuant to section 20.3 of Part II.1 of the Act;

"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;

"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";

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

"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;

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

"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;

"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;

"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 Sect

"Qualified Person" 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 O. Regulation 406/19;

"Regulation 347" or "Reg. 347" means Regulation 347, R.R.O. 1990; made under the Act, General - Waste Management, as amended from time to time;

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

"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;

"Site" means the property, including but not be limited to the processing/storage building and the outdoor storage facility approved to operate under this Approval and located at 375 Gage Avenue North, Hamilton, ON;

"Reuse Site" means a site at which Dry Excess Soil or Rock is used for a beneficial purpose;

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

"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;

"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.

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. GENERAL

Compliance

- 1.1 Except as otherwise provided by these Conditions, the Site shall be designed, developed, used, maintained and operated, and all facilities, equipment and fixtures shall be built and installed, in accordance with the ECA applications included in Schedule "A" and the plans and specifications and supporting documentation listed in Schedule "A".
- 1.2 (a) Where there is a conflict between a provision of any document referred to in Schedule "A", and the conditions of this Approval, the conditions in this Approval shall take precedence; and

(b) Where there is a conflict between documents listed in Schedule "A", the document bearing the most recent date shall prevail.

In Accordance

- 1.3 (a) Construction, installation and initial implementation of the aspects of the Site described in Item 22 in Schedule "A" must be completed within 5 years of the later of:
 - (i) January 9, 2026; 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.

- (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 1.3(a)(i) above.

Interpretation

- 1.4 The requirements specified in this Approval are the requirements under the Act. The issuance of this Approval in no way abrogates the Company's legal obligations to take all reasonable steps to avoid violating other applicable provisions of the Act and other legislation and regulations and to obtain any other approvals required by legislation.
- 1.5 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, the application of such requirement to other circumstances and the remainder of this Approval shall not be affected in any way.
- 1.6 The Company shall ensure compliance with all terms and conditions of this Approval. Any non-compliance constitutes a violation of the Act and is grounds for enforcement.
- 1.7
 - (a) The Company shall, forthwith upon request of the Director, District Manager, or Provincial Officer, furnish any information requested by such persons with respect to compliance with this Approval including but not limited to, any records required to be kept under this Approval; and
 - (b) In the event the Company provides the Ministry with information records, documentation or notification in accordance with this Approval (for the purposes of this condition referred to as "Information"),
 - (i) the receipt of Information by the Ministry;
 - (ii) the acceptance by the Ministry of the Information's completeness or accuracy; or
 - (iii) the failure of the Ministry to prosecute the Applicant, or to require the Applicant to take any action, under this Approval or any statute or regulation in relation to the Information

shall not be construed as an approval, excuse or justification by the Ministry of any act or omission of the Company relating to the Information, amounting to non-compliance with this Approval or any statute or regulation.

Other Legal Obligations

- 1.8 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: 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.
- 1.9 Within 120 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) an amendment to the existing Site-specific s. 9 (air and noise) EPA approval (8497-BWAMBU) as well as obtaining a s. 9 (odour) EPA approval.

Adverse Effect

- 1.10 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.
- 1.11 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.

Change of Owner

- 1.12 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.
- 1.13 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.
- 1.14 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.
- 1.15 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.

Inspections

- 1.16 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.

Information and Record Retention

- 1.17 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.
- 1.18 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.
- 1.19 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 Dry Excess Soil and/or Rock shall be retained for a minimum of seven (7) years in accordance with Ontario Regulation 406/19.
- 1.20 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.

2. FINANCIAL ASSURANCE

- 2.1 By April 30, 2026, the Owner shall submit additional Financial Assurance, as defined in Section 131 of the EPA, to the Director in the amount of \$68,653.0 to bring the total Financial Assurance

to \$136,680.0. 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-Site at any one time.

- 2.2 Commencing on April 30, 2031 and at intervals of five (5) years thereafter, the Owner shall submit to the Director a re-evaluation of the amount of Financial Assurance to implement the actions required under condition 2.1. 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 shall be submitted to the Director within twenty (20) days of written acceptance of the re-evaluation by the Director.
- 2.3 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 sixty (60) days before the Financial Assurance terminates, the Company shall forthwith replace the Financial Assurance with cash.

3. SITE OPERATIONS

Service Area and Hours of Operations

- 3.1 Only waste that is generated within geographical boundaries of the Province of Ontario shall be accepted at the Site.
- 3.2 The Site may receive and transfer waste from 7:0 a.m. to 7:0 p.m. and the site operating hours are from 7:0 a.m. to 10:0 p.m. from Monday to Saturday per week.
- 3.3 During an emergency situation the Site may operate outside of these hours if approved in writing by the local Municipality and the District Manager.
- 3.4 A copy of the written approval from the Municipality shall be provided to the District Manager and prior to operating outside normal hours unless not practicable and only in an extreme emergency.

Signage and Security

- 3.5 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.

3.6 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.

Approved Waste Types

3.7 The Site is approved to receive only the following categories of solid non-hazardous waste:

(a) solid non-hazardous municipal waste limited to construction and demolition waste including asbestos waste; and

(b) Dry Excess Soil and/or Rock meeting the following chemical quality:

(i) Dry Excess Soil meeting Table 2.1, 3.1, 4.1 & 5.1 Excess Soil Standards for residential/parkland/institutional and industrial/commercial/community land use.

(ii) Uncharacterized soils, subject to on-Site characterization, not exceeding Table 5.1 Excess Soil Standards.

(iii) Rock meeting inert fill requirements outlined in Regulation 347.

Approved Waste Quantities

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

(a) The amount of solid non-hazardous municipal waste limited to construction and demolition waste including asbestos waste accepted daily at the Site shall not exceed 1000 tonnes, with the amount of asbestos waste not to exceed 100 tonnes.

(b) The maximum daily receiving rate of Dry Excess Soil and/or Rock is 1,000 tonnes.

3.9 Notwithstanding the waste types approved under Condition 3.7(b), Dry Excess Soil and/or Rock that does not meet the criteria set out in Tables 2.1 and 4.1 of the Excess Soil Standards for residential/parkland/institutional or industrial/commercial/community land uses shall not be accepted, processed, or stored at the Site unless and until the site-specific approvals identified in Condition 1.9(b) have been obtain.

3.10 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.

Storage of Wastes and Recyclable Materials

- 3.11 (a) The total amount of solid non-hazardous municipal waste limited to construction and demolition waste including processed, unprocessed and residual wastes including recyclable materials resulting from processing activities undertaken at the Site, approved to be stored at the Site, shall not exceed 550 tonnes. The maximum storage capacity for asbestos is 100 tonnes.
- (b) The maximum limit of Dry Excess Soil and/or Rock stored outdoors at any time shall not exceed 1,600 tonnes.

Waste Receipt - General

- 3.12 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 incoming waste 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.
- 3.13 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.
- 3.14 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.
- 3.15 The Company shall prepare a protocol describing follow-up procedures after occurrences of delivery of unacceptable wastes, including putrescible waste. The follow-up shall be undertaken with both, the waste generator and the waste hauler.
- 3.16 The protocol described in Condition 3.15 shall be kept at the Site so that it can be made available for inspection by the Ministry staff, if necessary.
- 3.17 (a) All loading/unloading and pick-up of the Approved Waste, the residual waste and the recyclable materials, except for pick-up of the recyclable materials, asbestos waste and Dry Excess Soil and/or Rock approved to be stored outdoors, shall be undertaken within the

- confines of the processing building.
- (b) The storage container for the recyclable materials approved to be stored outdoors shall be loaded within the confines of the building before being removed to the outdoor storage location to await pick-up.
- 3.18 (a) All unprocessed waste, residual waste, and recyclable materials except excluded by Condition 3.18(b) shall be stored within the confines of the processing building at all times.
- (b) Recyclable materials and waste approved for outdoor storage are limited to metals, waste wood and Dry Excess Soil and/or Rock. All other recyclable materials shall be stored within the confines of the building.
- (c) The maximum outdoor storage capacity for recyclable materials shall not exceed the following amounts:
- (i) 150 tonnes of metals and the waste wood in ten (10) 40-cubic-yard roll-off containers or covered trailers with equivalent capacity;
 - (ii) 60 tonnes of the waste wood on the paved outdoor storage pad; and
 - (iii) 100 tonnes of asbestos waste stored in covered containers.
 - (iv) 1,600 tonnes of Dry Excess Soil and/or Rock in Soil Storage Area, Inert Fill Storage and Public Dumping Bunkers as shown on Figure 3 of the Design and Operations Report included as Item 22 in Schedule "A" of this Approval.
- (d) The maximum storage duration of the waste wood on the paved outdoor storage pad shall not exceed 7 days from the time of its receipt.
- (e) The outdoor storage containers, the trailers, the outdoor storage pad and all other storage areas within the confines of the processing building shall be located as described by Items 12, 14 and 22 of Schedule "A".
- 3.19 (a) Any putrescible waste commingled with the waste approved for processing at the Site shall be removed from the Site by the end of the working day on which such a waste was received at the Site. If any environmental adverse effects occur as a result of the presence of putrescible waste, such waste shall be removed from the Site immediately.
- (b) In the event that waste or recyclable materials cannot be removed from the Site and the total approved storage capacity is reached, the Company:
- (i) shall cease accepting additional waste to ensure the total approved storage capacity does not exceed the maximum amount approved by this Approval;
 - (ii) submit to the District Manager a schedule for removal the stored waste within 5 days

of reaching the storage capacity; and

- (iii) remove stored waste in accordance with the schedule required in condition 3.19(b)(ii).

General Operations and Maintenance

3.20 The Site shall be maintained in a secure manner, so that unauthorized persons cannot enter the Site. No waste shall be received at the Site except during operating hours when the Site is under the supervision of the trained Site personnel. When the Site is not in operation, the gate shall be securely locked.

3.21 (a) The Company shall operate and maintain the Site in a manner which ensures the health and safety of all persons and the protection of the environment through active prevention of any possible environmental adverse effects, including but not be limited to odours, dust, litter, vectors, vermin, rodents and noise.

(b) All doors of the processing building shall be kept closed at all times on any day where:

- i. the wind speed exceeds 40 kilometres per hour; or
- ii. on any other day where wind causes excessive amounts of dust, debris or other material to be released from the processing building; except when necessary to allow vehicular traffic into and out of the processing building.

(c) The Company shall ensure that dusty loads of waste are sprayed with water to keep the amount of dust down.

3.22 (a) The Company shall operate and maintain the Site in accordance with a Site Operation and Maintenance Manual.

(b) The Company shall update the Site Operation and Maintenance Manual prior to the receipt of asbestos waste at the Site. This manual shall include, but not be limited to:

- (i) incoming waste inspection procedures, including the follow-up on unacceptable waste delivered to the Site;
- (ii) Site operation and maintenance procedures, as described in the supporting documentation listed in Schedule "A" or as required by conditions of this Approval;
- (iii) schedule for inspections at the Site, including outdoor storage facilities, as required by Condition 12.1, below;
- (iv) waste and recyclable materials handling and storage procedures;

- (v) Site clean-up schedule and proposed clean-up activities; and
 - (vi) the Contingency Plan as noted in Condition 10.1.
- 3.23 (a) If at any time problems such as odours, dust, litter, noise, vectors, vermin, rodents or other nuisances are generated at the Site, including all on-site roads, the Company shall take appropriate, immediate remedial action to eliminate the problems.
- (b) If at any time, the Company receives complaints regarding the operation of the Site, the Company shall respond to these complaints according to the following procedure:
- (i) the Company shall record each complaint on a formal complaint form entered in a sequentially numbered log book or an electronic file, according to Condition 9, below; and
 - (ii) the Company 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.
- 3.24 If the inspections at the Site required by Condition 12.1 confirm the presence of insects, vermin and/or rodents, the Company shall immediately hire a licensed exterminator to eliminate insects, vermin and/or rodents and prevent an adverse effect.
- 3.25 No scavenging of waste is permitted to take place at the Site.
- 3.26 No burning or incineration of any materials is permitted at the Site.
- 3.27 All wastewater from the Site shall be discharged in accordance with the Ontario Water Resources Act, R.S.O. 1990 or in accordance with the applicable local Municipal Sewer Use By-law.

4. MANAGEMENT OF ASBESTOS WASTE

- 4.1 The following requirements apply to the management of asbestos waste:
- (a) The Company shall ensure that signage is posted at the entrance to the Site displaying appropriate asbestos waste packaging and handling protocols in large, easily legible letters.
 - (b) The Company shall inspect all incoming asbestos waste loads to ensure that all asbestos waste received at the Site is enclosed in six-mil polyethylene bags free from punctures, tears or leaks. Any bag which is deficient shall be immediately over-packed in a six-mil polyethylene bag, along with additional over-packing as necessary to prevent further breakage.
 - (c) All asbestos waste received at the Site shall be stored in a secure manner inside a closed storage trailer. Trailers shall be covered/closed at all times except when depositing or

removing asbestos waste.

- (d) The Company shall ensure that all asbestos waste being placed into or removed from a storage trailer is handled in a manner that prevents asbestos waste from becoming airborne.
- (e) No other waste shall be stored with asbestos waste.
- (f) Both sides of every asbestos waste storage trailer on-site shall be labelled with the word "CAUTION" in large, easily legible letters not less than ten (10) centimetres in height in a colour that contrasts with the background colour, and with the following words:

"CONTAINS ASBESTOS FIBRES

Avoid Creating Dust and Spillage

Asbestos May be Harmful To Your Health

Wear Approved Protective Equipment"

4.2 The Company shall ensure that every person involved in the handling or management of asbestos waste is trained in the handling and clean-up asbestos waste, and shall take all precautions necessary to prevent asbestos waste from becoming airborne.

4.3 The Company shall ensure that:

- (a) any person managing loose asbestos waste or supervising the handling of that waste shall wear protective clothing and NIOSH-approved personal respiratory equipment while doing so;
- (b) any person using NIOSH-approved personal respiratory equipment shall be trained in the proper use of such equipment, and that all such equipment has been properly fit tested;
- (c) protective clothing that has been or is suspected of having been in contact with asbestos waste is disposed of as asbestos waste; and
- (d) no disposable protective clothing is reused.

4.4 The Company shall ensure that asbestos spill and safety equipment is available and maintained in good working order at the Site, including (but not limited to) a shovel, a broom, wetting agent, protective clothing, a supply of six-mil polyethylene bags, bag closures, NIOSH-approved personal respiratory equipment for protection against asbestos fibers, and HEPA vacuum(s).

4.5 (a) In addition to the requirements of Condition 12.1 of this Approval, the Company shall conduct a daily inspection of the asbestos storage areas to ensure that no asbestos waste

becomes airborne, or otherwise enters the natural environment, as a result of the following:

- i. improper storage;
- ii. loss of integrity or damage to containment vessels;
- iii. exposure to weather; and
- iv. exposure to fire or fire hazards.

(b) Any deficiencies encountered during the daily inspections shall be recorded and promptly corrected to mitigate any possible impacts.

4.6 The Company shall establish and implement an airborne asbestos fibre sampling and analysis plan at the Site in accordance with the following:

- (a) the sampling and analysis of airborne asbestos fibres shall be carried out in accordance with the NIOSH 7400 procedure set out in the NIOSH Manual of Analytical Methods;
- (b) all sampling of airborne asbestos fibres shall be conducted by a person possessing such special expert or professional knowledge or qualifications, or under the direction of a person possessing such special expert or professional knowledge or qualifications, such as a Certified Industrial Hygienist or a Registered Occupational Hygienist;
- (c) all sampling of airborne asbestos fibres shall be carried out during an active period of asbestos waste transfer at the Site;
- (d) the sampling of airborne asbestos fibres shall be carried out no less than once during any month in which asbestos waste is accepted at the Site until the sampling has been carried out during 6 separate months; and
- (e) all analytical results shall be submitted to the District Office in writing within 1 week of the date receiving the results along with a statement indicating whether the results show an exceedance of any Ontario Regulation 833, the Occupational Health & Safety Act, and if there are any exceedances, a description of the source and cause of the exceedance and what further steps will be taken to address the source and cause identified.

4.7 (a) The Company shall ensure that all asbestos waste shipped from the Site shall be transported directly to a site approved to accept asbestos waste for final disposal, and not to a site where final disposal of the waste will not take place.

(b) The Company shall ensure that all asbestos waste leaving the Site is packaged in accordance with the Act and Reg. 347, and in a manner which is acceptable to the receiving site.

- (c) Before shipping any asbestos waste from the Site, the Company shall notify the receiving site of the shipment's anticipated time of arrival.
- (d) Before shipping any asbestos waste from the Site, the Company shall provide written notification to the District Office of the following:
 - i. the time and date of shipment;
 - ii. the amount of asbestos waste shipped from the Site;
 - iii. the name and ECA number of the company transporting the waste;
 - iv. the name of the company receiving the waste;
 - v. the location and ECA number of the receiving site.

This requirement for notification may be waived through the written consent of the District Manager.

- (e) The Company shall request written confirmation of receipt from the receiving site for each asbestos waste shipment. These written records shall be made available to any Provincial Officer upon request.

4.8 As per Section 25(2)(h) of the Occupational Health and Safety Act, enforced by the Ontario Ministry of Labour, the Company shall take every precaution reasonable in the circumstances for the protection of a worker from exposure to asbestos in the workplace.

5. MANAGEMENT OF DRY EXCESS SOIL AND/OR ROCK

Processing Operations

5.1 No processing of Dry Excess Soil and/or Rock is permitted except receipt, storage and transfer to a reuse site or an approved waste disposal site.

Incoming Dry Excess Soil and/or Rock Documentation

5.2 Prior to accepting any Dry Excess Soil and/or Rock at the Site, the Company 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 and/or Rock to confirm that the Dry Excess Soil and/or Rock meets type specified in Condition 3.7(b) and it shall:

- a. be reviewed and deemed acceptable by Trained Person;
- b. be for the Dry Excess Soil and/or Rock 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 and/or Rock to be received at the Site from that source site.

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

- (a) the incoming Dry Excess Soil and/or Rock shall be segregated from all other Dry Excess Soil and/or Rock 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 and/or Rock shall be segregated from all other Dry Excess Soil and/or Rock, and wastes until the Dry Excess Soil and/or Rock is characterized within 10 business days at the Site in accordance with Section B, Part I of the Soil Rules.

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

5.5 The documentation required in Condition 5.2 shall also include sampling and testing protocols, methods and analytical results to demonstrate that the Dry Excess Soil and/or Rock 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 and/or Rock 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 and/or Rock 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 Qualified Person and determined from the information contained in the general documentation required in Condition 5.2. and analysed with methods in accordance with the Ministry-published methods and as recommended by the accredited laboratory service provider.

Dry Excess Soil and/or Rock Management

Dry Excess Soil and/or Rock

- 5.6 The Owner must ensure that all of the residual waste generated at the Site are disposed in accordance with Regulation 347 requirements.
- 5.7 Dry Excess Soil and/or Rock shall be stored outdoor in clearly marked designated areas/bunker as per the chemical quality of the Dry Excess Soil and/or Rock received.
- 5.8 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/or Rock meets. Blending or mixing or co-mingling of Dry Excess Soil and/or Rock of different chemical quality either originated from the same project area or different project areas is not permitted.
- 5.9 Dry Excess Soil that does not meet the contaminant limits set out in Table 5.1 of the Excess Soil Standards shall either not be accepted at the Site or, if received, must be removed from the Site within 72 hours of its receipt.
- 5.10 The height of any outdoor Dry Excess Soil or Rock stockpile shall not exceed 1.94 m in order to prevent/control wind blown soil erosion and minimize dust impact.
- 5.11 Excess Soil and/Rock (characterized and no-characterized Dry Excess Soil and/or Rock) shall be stored in designated outdoor storage areas shown on Figure 3 - Conceptual Site Plan of the Design and Operations Report included as Item 22 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.
- 5.12 Rock shall be stored in a separate bunker. Rock shall be characterized as per Section B, Part I of

the Soil Rules.

5.13 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 and/or Rock 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; and
 - iv. Un-characterized soils and the source

5.14 The uncharacterized from different project areas must be kept in segregated bunkers/areas.

Outgoing Dry Excess Soil Soil Criteria

5.15 No 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 dry 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 dry 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 dry soil is tested using the Slump Test;
- (d) the dry 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 dry soil samples is carried out by an accredited laboratory (Canadian Association for Laboratory Accreditation or equivalent).

5.16 For the purpose of compliance with Condition 5.15(d), samples of 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.

5.17 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.

Dry Excess Soil and/or Rock Reuse

5.18 The Owner shall ensure that no Dry Excess Soil and/ or Rock 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.

5.19 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.

5.20 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.

5.21 Before shipping any Dry Excess Soil and/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.

5.22 Dry Excess Soil and/or Rock 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.

6. DESIGN AND OPERATIONS REPORT

- 6.1 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.
- 6.2 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.
- 6.3 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.
- 6.4 The Design and Operations Report shall be retained at the Site and available for inspection by a Provincial Officer upon request.

7. NUISANCE CONTROL

- 7.1 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.
- 7.2 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.

- 7.3 The Owner shall implement a litter control plan to minimize and control litter at the Site.
- 7.4 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.
- 7.5 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.
- 7.6 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.
- 7.7 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.
- 7.8 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 two times per day when in operations using water from the municipal water supply.

8. STORMWATER MANAGEMENT

- 8.1 Within 90 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.
- 8.2 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.

9. COMPLAINTS

- 9.1 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.

10. SPILL PREVENTION, CONTROL & COUNTERMEASURES PLAN

- 10.1 The emergency response and contingency plan provided in Appendix T of the Design and Operations Report included as Item 22 of this Approval shall be kept up to date, and a copy shall be retained and accessible to all staff at all times.
- 10.2 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.
- 10.3 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.
- 10.4 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.
- 10.5 All spills, as defined in the EPA, shall be immediately reported to the Ministry's Spill Action Centre at 1-800-268-6060.
- 10.6 Within 60 days of the issuance of the Approval, the Owner shall submit the Fire & Life Safety Plan provided in Appendix U of the Design and Operations Plan, included as Item 22 in Schedule "A" of this Approval to the local Fire Department for review and approval. A copy of

the approved Fire & Life 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.

11. STAFF TRAINING

11.1 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.

11.2 (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 Dry Excess Soil and/or Rock accepted at the Site;
- (iv) occupational health and safety concerns pertaining to the wastes and Dry Excess Soil and/or Rock 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.

11.3 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.

11.4 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.

12. SITE INSPECTION & RECORD KEEPING

Site Inspection

12.1 An inspection of the entire Site and all equipment on the Site shall be conducted twice on each operating day 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.

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

Record Keeping

12.3 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 Dry Excess Soil and/or Rock present on Site at any time.

12.4 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 10.5.

12.5 The Owner shall maintain a record of the inspections undertaken in accordance with Condition 12.1. 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.

12.6 The Owner shall maintain a written record of training required by Condition 11. 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.

13. ANNUAL REPORT

13.1 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 and/or Rock 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 6 of this Approval;
- (g) a review of the financial assurance in accordance with Condition 2.2;
- (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.

14. CLOSURE PLAN

- 14.1 (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 this Provisional Approval of Approval:

1. Application for Approval of a Waste Disposal Site dated January 8, 2001, signed by William Bartels, Regional Disposal Services Inc., and the report entitled "Transfer/Processing Site Application, Gage Avenue, Hamilton", dated January 8, 2001 and prepared by Earth Tech Canada Inc.
2. Letter dated February 15, 2001 from John Muller, Earth Tech Canada Inc., to Margaret Wojcik, Ontario Ministry of Environment and Energy, providing additional information on the proposal.
3. Letter dated April 30, 2001 from John Muller, Earth Tech Canada Inc., to Margaret Wojcik, Ontario Ministry of Environment and Energy, providing additional information on the proposal including the floor sump for collection of the floor washing wastewater and the revised operating hours.
4. Letter dated June 7, 2001 from John Muller, Earth Tech Canada Inc., to Margaret Wojcik, Ontario Ministry of Environment and Energy, providing additional information on the proposal.
5. Letter dated June 8, 2001 from John Muller, Earth Tech Canada Inc., to P.D. Mallard, City of Hamilton, providing additional information on the proposal.
6. Letter dated June 29, 2001 from John Muller, Earth Tech Canada Inc., to Margaret Wojcik, Ontario Ministry of Environment and Energy providing additional information on the proposal, including revised layout of the site, new orientation of the processing building and the proposed landscaping.
7. Facsimile transmission dated May 29, 2002, from John Muller, Earth Tech Canada Inc., to Margaret Wojcik, Ontario Ministry of Environment and Energy providing Corporation Profile Report on the new name of the company.
8. Application for a Provisional Certificate of Approval for a Waste Disposal Site dated November 3, 2005 signed by William Bartels, Regional Disposal Services Inc. and the following supporting information and documentation prepared by CH2M HILL Canada Limited:
 - (a) Report entitled "Application for Amendment to Waste Disposal Site Certificate of Approval - 375 Gage Avenue, Hamilton, On", dated October 2004.
9. Letter dated November 24, 2005 from John Muller, CH2M HILL Canada Limited, to Matthew Chisholm, Ontario Ministry of the Environment, providing the additional information on the proposal.
10. Letter dated December 5, 2005 from John Muller, CH2M HILL Canada Limited, to Matthew Chisholm, Ontario Ministry of the Environment, providing information on the additional public consultation.
11. Email dated June 26, 2006 (11:45 p.m.) from John Muller, CH2M HILL Canada Limited to Margaret Wojcik, Ontario Ministry of the Environment providing additional information on the proposal including the detailed description of wastes to be handled, the proposed dust

minimization measures, the description of the waste wood outdoor storage pad, the site operating hours and the quotation for the cost of waste disposal for the purpose of the financial assurance calculations.

12. Email dated June 28, 2006 (11:49 a.m.) from John Muller, CH2M HILL Canada Limited to Margaret Wojcik, Ontario Ministry of the Environment providing a revised site plan.
13. Email dated November 16, 2006 (6:09 p.m.) from John Muller, CH2M HILL Canada Limited to Margaret Wojcik, Ontario Ministry of the Environment providing additional information on the waste storage facility and waste storage duration.
14. Email dated December 7, 2007 (10:19 a.m.) from John Muller, CH2M HILL Canada Limited to Margaret Wojcik, Ontario Ministry of the Environment providing Figure 1, entitled "Waste Transfer/Processing Facility, Certificate of Approval Amendment" which shows a layout of the transfer/building.
15. Email dated January 2, 2008 (11:39 a.m.) from John Muller, CH2M HILL Canada Limited to Margaret Wojcik, Ontario Ministry of the Environment providing a conceptual design of the noise emissions abatement measures.
16. Letter dated March 21, 2011 from Mr. Ian Bartels, Authorized Signing Officer, Regional Disposal Services Inc., to The Director, Section 39, Environmental Protection Act, Ministry of the Environment, re: 6657-5ADLUE Condition 42 (b), including all supporting documentation.
17. Email dated October 2, 2019 from Mr. Jonathan van Leeuwen, Regional Disposal Services Inc. Re: Re-evaluation of Financial Assurance.
18. Environmental Compliance Approval application dated January 10, 2020 signed by Jeff Jans, including all supporting documentation.
19. Email dated September 4, 2020 from Justin Tayles, Wood Environment & Infrastructure Solution, to Andrew Neill, P.Eng., MECP, with additional information on: (1) receiving of asbestos waste; (2) storage of waste at the site; (3) maximum storage calculations and an explanation of the requested receiving and shipping rates; and (4) nuisance abatement.
20. Environmental Compliance Approval application dated February 25, 2022, including all supporting documentation, requesting a change to Condition 23(b).
21. Environmental Compliance Approval application dated August 26, 2025.
22. Updated Design and Operations Report, Version 3.2, March 14, 2026.

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

Conditions 1.1, 1.2, 1.4 to 1.11, 1.17 to 1.20 are to clarify the legal rights and responsibilities of the Owner under this Approval.

Conditions 1.3, and 7 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.

Condition 1.12 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 1.13 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 1.4 and 1.15 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 1.16 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 2 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 3.1 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 3.2 is to specify the hours of operation for the Site based on the Owner's application and supporting documentation.

Condition 3.3, 3.4 and 3.5 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 3.6 is to ensure that the Site is secure when unattended to prevent vandalism or theft.

Condition 3.6 is included to specify the type of waste the Site is approved to receive.

Conditions 3.7, 3.8, 3.9, 3.10 and 3.11 are included to specify type of waste, quantities of waste received at the Site, storage limits, and updating/obtaining appropriate approvals.

The reason for Conditions 3.12 and 3.13 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 3.14 to 3.28 and 8 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 4 is included to ensure that the management of asbestos waste is carried out in a manner that does not result in a nuisance or a hazard to the public or the environment.

Condition 5.1 to 5.5 is included to ensure incoming waste is properly classified and specify sampling and testing requirements of the incoming waste.

The reasons for Condition 5.6 to 5.14 is to specify requirements for the management of incoming Dry 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 5.15 to 5.17 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 5.18 to 5.22 is to ensure that processed material is only sent off-site for reuse to an appropriate receiving facility.

The reason for Condition 6 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 9 is to ensure that any complaints regarding Site operations at the Site are responded to in a timely manner.

The reasons for Condition 10 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 11 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 12.1 and 12.2 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 12.3 to 12.6 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 13 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 14 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).
6567-5ADLUE issued on March 16, 2025**

In accordance with Section 139 of the *Environmental Protection Act*, you may by written notice served upon me, the Ontario Land Tribunal and in accordance with Section 47 of the *Environmental Bill of Rights*, 1993, the Minister of the Environment, Conservation and Parks, within 15 days after receipt of this notice, require a hearing by the Tribunal. The Minister of the Environment, Conservation and Parks will place notice of your appeal on the Environmental Registry. Section 142 of the *Environmental Protection Act* provides that the notice requiring the hearing ("the Notice") shall state:

- a. The portions of the environmental compliance approval or each term or condition in the environmental compliance approval in respect of which the hearing is required, and;
- b. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

Pursuant to subsection 139(3) of the *Environmental Protection Act*, a hearing may not be required with respect to any terms and conditions in this environmental compliance approval, if the terms and conditions are substantially the same as those contained in an approval that is amended or revoked by this environmental compliance approval.

The Notice should also include:

1. The name of the appellant;
2. The address of the appellant;
3. The environmental compliance approval number;
4. The date of the environmental compliance approval;
5. The name of the Director, and;
6. The municipality or municipalities within which the project is to be engaged in.

And the Notice should be signed and dated by the appellant.

This Notice must be served upon:

Registrar*
Ontario Land Tribunal
655 Bay Street, Suite 1500
Toronto, Ontario
M5G 1E5

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

* **Further information on the Ontario Land Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349 or 1 (866) 448-2248, or www.olt.gov.on.ca**

This instrument is subject to Section 38 of the *Environmental Bill of Rights, 1993*, that allows residents of Ontario to seek leave to appeal the decision on this instrument. Residents of Ontario may seek leave to appeal within 15 days from the date this decision is placed on the Environmental Registry. By accessing the Environmental Registry at <https://ero.ontario.ca/>, you can determine when the leave to appeal period ends.

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

DATED AT TORONTO this 13th day of April, 2026



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

AQ/
c: District Manager, MECP Hamilton - District
George Kirchmair, York1 Environmental Ltd.