

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 4421-DR6M2W

Issue Date: April 30, 2026

YORK1 Field Recycling Ltd.  
5090 Commerce Blvd, No. 200  
Mississauga, Ontario  
L4W 5M4

Site Location: 19 Field Road  
County of Haldimand

*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 1.218 hectares Waste Disposal Site to receive, temporarily store up-to a maximum of 2,240 tonnes per day and a maximum of 817,600 tonnes per year

to be used for the transfer and processing of the following types of waste:

- solid non-hazardous waste

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

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

**"Adverse Effect"** as defined in the EPA;

**"Aggregate"** means coarse- to medium-grained particulate material used in building and construction. Within the context of this Approval, Aggregate does not include Soil, which is defined separately;

**"Air/Noise Approval"** means the Environmental Compliance Approval and any Schedules attached to it, including the application and its supporting documentation for activities set out in section 9 of the EPA and carried out at the Site;

**"Analytical Protocol"** is as defined in O. Regulation 153/04 and it 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;

**"Approval"** means this Environmental Compliance Approval and any Schedules to it, including the application and supporting documentation listed in Schedule 1;

**"Approved Property Uses"** means commercial, community, industrial, institutional, parkland and/or residential use, as defined in O. Regulation 153/04;

**"Approved Waste"** means the waste approved for receipt at the Site and/or the waste in-process and/or the processed waste;

**"Blue Box Waste"** has the same meaning as in O. Regulation 101/94;

**"C&D Waste"** means the waste types listed in section 2.(2) of Regulation 347 and designated as waste and further listed in Condition 3.2(1)d.;

**"Composite Samples"** means samples that are made up of a number of sub-samples collected from a 2-metre radius for submission to a laboratory in a single sample container that has been thoroughly mixed together, as described in the MOE Guidance on Sampling and Analytical Methods for Use at Contaminated Sites in Ontario, revised December 1996;

**"Contaminant"** within the context of this Approval, Contaminant means one or more contaminants found on, in or under a project area at a concentration that exceeds the applicable excess soil quality standards for the project area or one or more contaminants identified as potentially present on, in or under a project area in an assessment of past uses or one or more contaminants found in Dry Soil accepted at the Site or found in the outgoing waste, including the Dry Soil, destined for transfer from the Site;

**"Debris"** means solid material present in the incoming Dry Soil that is a non-hazardous waste a handling of which is subject to the environmental compliance approval requirements under the EPA;

**"Director"** means a person appointed by the Minister pursuant to section 5 of the EPA for the purposes of Part II.1 of the EPA;

**"Discrete Samples"** within the context of this Approval, mean individually separate Grab Samples collected for analysis when creation and analysis of a composite sample is not appropriate;

**"District Manager"** means the District Manager of the appropriate local district office of the Ministry where the Site is geographically located or such other official of the Ministry as may be assigned the duties of the District Manager;

**"Dry Soil"** within the context of this Approval, means Soil and as defined in O. Regulation 406/19;

**"EASR"** means the Environmental Activity and Sector Registry;

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

"**Equipment**" means the equipment described in the Owner's application, this Approval and in the supporting documentation submitted with the application, to the extent approved by this Approval;

"**Excess Soil Criteria**" means the Excess Soil Standards set out in Part II of the Soil Rules and the site-specific criteria as set out in section D of Part I of the Soil Rules required for the Reuse Site;

"**Excess Soil Standards**" means the excess soil quality standards set out in Appendix 1 of the Soil Rules required for the Reuse Site;

"**Excess Soil**" is as defined in O. Regulation 406/19, and within the context of this Approval means the incoming Dry Soil and the outgoing Dry Soil(s) transferred from the Site in compliance with the requirements set out in O. Regulation 406/19.

"**Final Disposal**" within the context of this Approval means land disposal and thermal treatment, both as defined in Regulation 347, and does not include handling, storing, transferring, treating or processing of waste at a land disposal or a thermal treatment site;

"**Financial Assurance**" is as defined in Section 131 of the EPA;

"**Grab Samples**" within the context of this Approval, means independent sets of representative samples taken from different locations within the volume being sampled, using a systematic method of selecting random, unbiased locations and based on scientific and statistical principles applicable to sampling;

"**IC&I**" means industrial, commercial and institutional;

"**Inert Fill**" is as defined in Regulation 347;

"**L**" means litre;

"**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;

"**Liquid Industrial Waste**" is as defined in Regulation 347;

"**m**" means metre;

"**m<sup>2</sup>**" means square metre(s);

"**m<sup>3</sup>**" means cubic metre(s);

"**Manual**" means a document or a set of documents that provide written instructions to staff of the Owner;

"**Minister**" means the Minister of the Ministry or such other member of the Executive Council as may be assigned the administration of the EPA and OWRA under the Executive Council Act , R.S.O. 1990, c. E.25;

"**Ministry**" means the ministry of the government of Ontario responsible for the EPA and OWRA and includes all officials, employees, or other persons acting on its behalf;

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

"**O. Regulation 224/07**" means Ontario Regulation 224/07: "Spill Prevention and contingency Plans" made under the EPA, as amended;;

"**O. Regulation 153/04**" means Ontario Regulation 153/04: Records of Site Condition - Part XV.1 of the EPA, as amended;

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

"**Operator**" means any person, other than the Owner's employees, authorized by the Owner as having the charge, management or control of any aspect of the site;

"**Owner**" means YORK1 Field Recycling Ltd. that is responsible for the establishment and operation of the Site being approved by this Approval, any contractors that work on behalf of the Owner and includes any 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;

"**Petroleum Hydrocarbon Fractions**" within the context of this Approval, mean organic Contaminants limited to petroleum hydrocarbon fractions: F1 (C6-C10), F2 (>C10-C16), F3 (>C16-C34), and F4 (>C34);

"**Phase I ESA**" means Phase I Environmental Site Assessment, as defined in O. Regulation 153/04, as amended;

"**Phase II ESA**" means Phase II Environmental Site Assessment, as defined in O. Regulation 153/04, as amended;

"**Potentially Contaminating Activity**" is any activity, excluding Item referred to as "Importation of Fill Material of Unknown Quality", listed in Table 2 to Schedule D of O. Regulation 153/04;

"**Professional Engineer**" means a Professional Engineer as defined within the *Professional Engineers Act*, R.S.O. 1990, c. P.28, as amended;

"**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 the SDWA;

**"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;

**"Recyclable Waste"** within the context of this Approval, Recyclable Waste excludes residues generated in Ontario from waste management activities for recovery of materials for beneficial reuse and/or use in re-manufacturing sector and which cannot be diverted from Final Disposal and means one of the following: a dedicated load of Blue Box Waste and/or Waste set out in Schedule 2 to O. Regulation 101/94 and/or any other Waste which has been source-separated for the purposes of resource recovery and diversion from Final Disposal to beneficial uses to meet a realistic market demand; or a material that is a resource recovered from collected products and packaging or from other sources, for designated materials that have resource recovery targets prescribed in regulations under the Resource Recovery Circular Economy Act and that is managed in accordance with such regulations, once an applicable regulation is enacted for the purpose of regulating a particular resource;

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

**"Rejected Waste"** means the incoming load inadvertently received at the Site and deemed by the Owner to be a waste that does not comply with the quality criteria required for acceptance at the Site or waste characterized at the Site and found to be a waste that does not comply with the quality criteria required for acceptance at the Site;

**"Residual Waste"** means waste resulting from waste management at the Site and that is destined for Final Disposal or further processing at another approved waste disposal site;

**"Reuse Site"** is as defined in O. Regulation 406/19. Furthermore, within the context of this Approval, a Reuse Site means a site where Excess Soil is finally placed for a beneficial purpose as identified in a particular site development proposal governed by either an eligible site-specific instrument (such as a permit issued under a municipal site alteration by-law) or when the Excess Soil placement is compliant with O. Regulation 406/19 provisions for a Reuse Site not governed by an instrument. Reuse Site is not a site primarily used to dispose of Excess Soil without any specific identified beneficial purpose for the said disposal;

**"Rock"** is as defined in O. Regulation 406/19;

**"SAR"** means sodium adsorption ratio;

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

**"Sewage Works Approval"** means the Environmental Compliance Approval and any Schedules attached to it, including the application and its supporting documentation for activities set out in section

53 of the OWRA and carried out at the Site;

**"Sewage Works"** means a site approved by the Ministry for activities listed in Section 53 of the OWRA;

**"Similar"** within context of this Approval means the types of Dry Soil tested to show that they are of comparable quality;

**"Single Category (clean load) Recyclable Waste"** means single category (clean load) Recyclable Waste approved for receipt and temporary storage at the Site, and destined for baling or compaction into a bin or a truck or a trailer;

**"Single Stream (mixed) Recyclable Waste"** means single stream (mixed) Recyclable Waste approved for receipt and temporary storage at the Site and destined for processing (sorting) at the Site and baling or compaction into a bin or a truck or a trailer;

**"Site"** means the waste disposal site (transfer/processing) located at 19 Field Road, County of Haldimand, Ontario;

**"Soil Rules"** have the same meaning as in O. Regulation 406/19 and 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";

**"Soil Standards"** means the concentrations of the contaminants in the Standards Document;

**"Soil"** as defined in O. Regulation 406/19;

**"Source Site/generator"** means the source of the incoming Excess Soil. Source Site includes a project area as defined in O. Regulation 406/19 and any locations of the Approved Property Uses where the Excess Soil has been excavated;

**"Spill"** is as defined in the EPA;

**"Standards Document"** means the Ministry's document entitled "Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act", revised version April 15, 2011, as amended;

**"Stockpile"** means the proposed Dry Soil storage up-to 6.5 m in height to be tested for compliance with the quality criteria set out in this Approval;

**"Supporting Documentation"** means the documentation listed in the attached Schedule 1, submitted in support of the application dated February 20, 2025 and signed by George Kirchmair, York1 Field Recycling Ltd., for this Approval;

"SVOCs" means semi-volatile organic compounds;

"**Table 2.1 Excess Soil Standards**" means the Excess Soil Standards from Table 2.1 set out in the Ministry's document entitled "Soil Rules" document for Residential/Parkland/ Institutional/ Industrial/ Commercial/ Community Property Use;

"**TCLP**" means the Toxicity Characteristic Leaching Procedure which is defined in Regulation 347 as the Toxicity Characteristic Leaching Procedure, Method 1311, that appears in United States Environmental Protection Agency Publication SW-846 entitled "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", as amended from time to time, or a test method that the Director has approved in writing as equivalent;

"**Tested Soil**" means the Soil that has been tested in accordance with this Approval to demonstrate compliance with the appropriate Soil Standards or the Excess Soil Criteria defined in this Approval. Tested Soil is limited to the characterized Soil received for transfer and intended for transfer to a waste disposal site or the same Receiving Site or the same Reuse Site;

"**Trained Personnel**" means one or more Site personnel trained in accordance with the requirements of Condition 11.2. including an employee trained or knowledgeable through instruction and/or practice and able to carry out any necessary duties related to management of the Waste as approved in this Approval.

"**Transfer/Processing Building**" is Transfer/Processing Building as set out in the Supporting Documentation;

"**Trucks**" means solid incoming Waste truck(s), reagent truck(s), processed Waste, Residual Waste and Rejected Waste truck(s);

"**VOCs**" means volatile organic compounds. VOC means any organic compound having, at 20 degrees Celsius (°C), a vapour pressure of 0.01 kilopascal or more or having a corresponding volatility under the particular conditions of use, which is released into the atmosphere;

"**Waste Diversion Transition Act**" means the *Waste Diversion Transition Act*, 2016, S.O. 2016, c. 12, Sched. 2, as amended;

"**Waste Limits**" means the Waste processing and the Waste generation limits placed by the Director in this Approval;

"**Waste Tires**" means used tires as defined in O. Regulation 390/16: Used Tires, made under the Waste Diversion Transition Act;

"**waste**" within the context of this Approval, it means any material defined as a waste or designated to be a waste under any provincial Act or regulation or any other discarded, unwanted, unsuitable for its original use or purpose (for example off-specification or expired) post-consumer goods, items and materials. Waste outputs from processing/treatment of waste at a waste disposal site continue to be considered waste;

"Waste" within the context of this Approval, the incoming approved waste types listed in Condition 3.2 and/or the waste in-process and/or the processed waste; and

"Woodwaste" has the same meaning as defined in Regulation 347.

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

## TERMS AND CONDITIONS

### 1.0 GENERAL

#### 1.1 Compliance

- (1) The Owner shall ensure compliance with all the conditions of this Approval and shall ensure that any person authorized to carry out work on or operate any aspect of the Site is notified of this Approval and the conditions herein and shall take all reasonable measures to ensure any such person complies with the same.
- (2) Any person authorized to carry out work on or operate any aspect of the Site shall comply with the conditions of this Approval.

#### 1.2 Build, etc. in Accordance

- (1) Except as otherwise provided by this Approval, the Site shall be established, used, operated, maintained and monitored in accordance with the Supporting Documentation listed in the attached Schedule 1.
- (2)
  - a. Construction and installation of aspects described in Schedule "A" must be completed within 5 years from the date of issuance of this Approval.
  - 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(a).

#### 1.3 As-built Drawings

- (1) A set of as-built drawings, certified by a Professional Engineer and showing the design of the Site, shall be kept at the Site at all times.

#### 1.4 Interpretation

- (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.

- (2) Where there is a conflict between the application and a provision in any documents listed in Schedule 1, the application shall take precedence, unless it is clear that the purpose of the document was to amend the application and that the Ministry approved the amendment.
- (3) Where there is a conflict between any two documents listed in Schedule 1, other than the application, the document bearing the most recent date shall take precedence.
- (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 Approval shall not be affected thereby.

### **1.5 Other Legal Obligations**

- (1) The issuance of, and compliance with the conditions of this Approval does not:
  - a. relieve any person of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement; or
  - b. limit in any way the authority of the Ministry to require certain steps be taken or to require the Owner to furnish any further information related to compliance with this Approval.
- (2) Despite an Owner or any other person fulfilling any obligations imposed by this Approval, the person remains responsible for any contravention of any other condition of this Approval or any applicable statute, regulation, or other legal requirement resulting from any act or omission that caused the Adverse Effect or impairment of water quality.

### **1.6 Adverse Effect**

- (1) The Site shall be constructed, operated and maintained in a manner which ensures the health and safety of all persons and prevents generation of negative environmental impacts including but not limited to dust, odours, vectors, pests, birds, litter, vibration, noise and any other negative environmental effects that may cause an Adverse Effect.
- (2) If at any time dust, odours, vectors, pests, birds, litter, vibration, noise or other such negative environmental effects are generated at the Site and cause an Adverse Effect, the Owner shall take immediate and appropriate remedial action(s) that is/are necessary to alleviate the Adverse Effect, including suspension of all waste management activities and removal of waste from the Site, if necessary.
- (3) The Owner shall take steps to minimize and ameliorate any Adverse Effect on the natural environment or impairment of water quality resulting from the approved operations at the Site, including such steps as accelerated or additional monitoring as may be necessary to determine the nature and extent of the effect or impairment.

## **1.7 Change of Owner**

- (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 change in:
  - a. the ownership of the Site;
  - b. the operator of the Site;
  - c. the address of the Owner;
  - 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, as amended, shall be included in the notification; or
  - 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, as amended, shall be included in the notification.
- (2) No portion of this Site shall be transferred or encumbered prior to or after closing of the Site unless the Director is notified in advance. 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.

## **1.8 Inspections by the Ministry**

- (1) No person shall hinder or obstruct a Provincial Officer from carrying out any and all inspections authorized by the OWRA, the EPA, the PA, the SDWA or the NMA of any place to which this Approval relates, and without limiting the foregoing:
  - a. to enter upon the premises where the approved processing is undertaken, 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;
  - e. to conduct interviews with staff, contractors, agents and assignees of the Owner; and
  - f. to sample and monitor for the purposes of assessing compliance with the terms and conditions

of this Approval or the EPA, the OWRA, the PA, the SDWA or the NMA.

### **1.9 Information and Record Retention**

- (1) Any information requested by the Ministry, concerning the operation of the Site and its operation under this Approval, including but not limited to any records required to be kept by this Approval shall, upon request, be provided to the Ministry in a timely manner and in a format specified by the Ministry. All records shall be retained for two (2) years except as otherwise authorized in writing by the Director.
- (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.
- (3) The Owner shall ensure that a copy of this Approval, in its entirety and including all its Notices of Amendment, and the documentation listed in Schedule 1, are retained at the Owner's office at all times.

### **1.10 Financial Assurance**

- (1) Within the thirty (30) days from the date of this Approval, the Owner shall submit the Financial Assurance in the amount of CAN\$224,813. This Financial Assurance shall be in a form acceptable to the Director and shall provide sufficient funds for the analysis, transportation, Site clean-up, monitoring and disposal of all quantities of waste on the Site at any one time.
- (2) Commencing on March 31, 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 1.10(1). The re-evaluation shall include an assessment based on any new information relating to the environmental conditions of the Site and shall include the costs of additional monitoring and/or implementation of contingency plans required by the Director upon review of the closure plan and annual reports. The Financial Assurance must be submitted to the Director within ten (10) days of written acceptance of the re-evaluation by the Director.
- (3) The amount of Financial Assurance is subject to review at any time by the Director and may be amended at his/her discretion. 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.

### **1.11 Other Approvals**

- (1) The Owner shall ensure that the Site is not operated unless all approvals for the activities set out in Section 9 of the EPA, where applicable, have been obtained.
- (2) The Owner shall ensure that the Site is not operated unless all approvals the activities set out in Section 53 of the OWRA, where applicable, have been obtained.

## **2.0 SIGNS and SITE SECURITY**

### **2.1 Signs**

- (1) The Owner shall ensure that a sign is posted at the entrance to the Site, readable from the nearest public roadway bordering the Site.
- (2) The sign shall contain the following information:
  - a. the name of the Site and Owner;
  - b. the number of this Approval;
  - c. the normal hours of operation;
  - d. the allowable and prohibited waste types;
  - e. a telephone number to which complaints may be directed;
  - f. a twenty-four (24) hour emergency telephone number (if different from above); and
  - g. a warning against dumping outside the Site.
- (2) The Owner shall install and maintain appropriate and visible signs at the Site to direct vehicles to the Waste receiving areas and removal areas.

### **2.2 Security**

- (1) The Owner shall ensure that all Waste management activities carried out at the Site are supervised at all times by Trained Personnel.
- (2) The Owner shall ensure the Site is operated in a safe and secure manner, and that all Waste is properly handled, contained, or stored so as not to pose any threat to the general public and the Site personnel.
- (3) The Owner shall ensure that access to the Site is regulated and that the Site is secured to restrict access only to authorized personnel.
- (4) The Owner shall ensure that all Site entrances and buildings are gated and locked to restrict access only to authorized personnel when the Site is not open.

## **3.0 SERVICE AREA, APPROVED WASTE TYPES and MATERIALS and WASTE LIMITS**

### **3.1 Service Area**

- (1) The Site is approved to receive waste originating from residential and IC&I sources in the Province of Ontario.

### **3.2 Approved Waste Types and Materials**

- (1) The Site is approved to receive solid non-hazardous Waste limited to the following:
  - a. mixed solid non-hazardous Waste destined for Final Disposal;
  - b. Recyclable Waste, including Blue Box Waste;
  - c. C&D Waste limited to the following wastes types: scrap metal, waste cardboard and paper, waste drywall, waste brick, waste concrete, porcelain, asphalt shingles, tarps, plastic, carpet, flooring, textile, and insulation tiles;
  - d. Woodwaste and treated wood;
  - e. waste tires;
  - f. waste asphalt;
  - g. Inert Fill;
  - h. Dry Soil mixed with Debris; and
  - i. Excess Soil, limited to Dry Soil.

### **3.3 Prohibited Waste Types**

- (1) The Site is not approved to receive the following waste types:
  - a. any waste that is classified as subject waste in accordance with Regulation 347;
  - b. any liquid waste;
  - c. any non-hazardous animal carcasses, including deadstock as defined in O. Regulation 105/09: Disposal of Deadstock under the *Food Safety and Quality Act*, 2001, S.O. 2001, c.20;
  - d. any waste that is classified as "Specified Risk Materials" which has the same meaning as in section 6.1 of the *Health of Animals Regulations* (C.R.C., c. 296), made under the *Health of Animals Act* (S.C. 1990, c. 21), as amended;
  - e. any untreated septage as defined in O. Regulation 267/03 or hauled sewage as defined in

Regulation 347;

- f. any sewage sludge, which within the context of this Approval means the organic materials resulting from treatment of sewage up-to the anaerobic digestion processing step at Sewage Works, where the Sewage Works is subject to the requirements under the OWRA, and
    - i. means any works for the collection, transmission, treatment and disposal of sewage or any part of such works, but does not include plumbing to which the *Building Code Act, 1992* applies; and
    - ii. is owned by a municipality or is privately-owned;
    - iii. is owned by the Crown or the Ontario Clean Water Agency, subject to an agreement with a municipality under the OWRA; or
    - iv. receives only waste similar in character to the residential (domestic) sewage from a household; and
    - v. receives only waste similar in character to the sewage containing human pathogens, including toilet or other bathroom waste;
  - g. any biosolids, which within the context of this Approval mean the organic materials resulting from treatment of sewage, including the anaerobic digestion processing step at Sewage Works;
  - h. dedicated loads of soiled diapers, soiled incontinence products, soiled sanitary products and pet waste from the IC&I sources;
  - i. SSO from the residential (domestic) curbside collection programs operated by a municipality or on behalf of a municipality and that may contain soiled diapers, soiled incontinence products, soiled sanitary products and pet wastes;
  - j. any SSO that contains or is suspected of containing plant or animal products or by-products taken from aircraft, passengers and/or crew of the aircraft arriving in Ontario; and
  - k. any SSO that contains or is suspected of containing plant or animal products or by-products taken from a vessel, passengers and/or crew of vessels arriving in Ontario.
- (2) Despite provision of Condition 3.1(1), Waste that has been generated or has been previously transferred to any facility in the Province of Ontario from outside of the Province Ontario is prohibited from being accepted at the Site.
- (3) No free-phase liquid (non-aqueous phase liquid), excluding water, shall be present in the incoming Dry Soil.

### **3.4 Waste Receipt Rates**

- (1) At the Site, the Owner is approved to receive the approved Waste in quantities that are not to exceed:
  - a. a maximum of 2,240 tonnes per day of the Waste; and
  - b. a maximum of 817,600 tonnes per year of the Waste.
- (2) The maximum total receipt rates for any combination of waste brick, waste concrete, waste asphalt, and Dry Soil are as follows:
  - a. a maximum of 1,350 tonnes per day; and
  - b. a maximum of 492,750 tonnes per year.
- (3) The maximum total receipt rates for any combination of solid non-hazardous mixed Waste from residential and IC&I sources, limited to Inert Fill, Dry Soil mixed with Debris, C&D Waste, the Woodwaste, waste tires and the Recyclable Waste, are as follows:
  - a. a maximum of 890 tonnes per day; and
  - b. a maximum of 324,850 tonnes per year.
- (4) In the event that received Waste cannot be processed or transferred from the Site or the Waste and the processed Waste cannot be removed from the Site in accordance with this Approval and the Site is at its approved storage capacity, the Owner shall cease accepting additional Waste until additional receipt results in compliance with the Waste storage limitations set out in this Approval.

## **4.0 SITE OPERATIONS**

### **4.1 Operating Hours**

- (1) The Owner is approved to undertake Waste receipt and processing/management activities at the Site twenty-four (24) hours per day, seven (7) days per week, except on statutory holidays.
- (2) Notwithstanding provisions of Condition 4.1(1) the operations at the Site shall be in compliance with the local municipal by-laws.

### **4.2 Approved Activities**

#### General Requirements

- (1) The Owner shall ensure that all waste management activities at the Site are carried as proposed and within the designated areas of the Site, as set out in the Supporting Documentation, at all

times.

- (2) All waste management activities approved under this Approval shall only be carried out by the Trained Personnel appropriately trained as set out in Condition 11.2.

#### **4.2 Approved Waste Management Activities**

##### Management of Solid Non-Hazardous Waste, excluding Dry Soil

- (1) The following activities for management of solid non-hazardous Waste at the Transfer/Processing Facility are approved under this Approval:
- a. weighing the incoming Waste truck loads and recording the results;
  - b. inspection of the incoming Waste documentation, as required, and confirmation of compliance with the Approval requirements;
  - c. receipt of the Approved Waste at the Site;
  - d. unloading and temporary storage of the incoming Waste in the Transfer/Processing Building or outdoors in the designated areas as set out in this Approval;
  - e. visual inspection of the incoming Waste prior to, if possible, or upon unloading;
  - f. processing of solid non-hazardous Waste through manual picking and sorting to remove of the Recyclable Waste or the Residual Waste or the Rejected Waste from the incoming Waste and sorting of Single Stream (mixed) Recyclable Waste into separate Waste types;
  - g. drying of the Dry Soil through natural evaporation;
  - h. mechanising of the Waste processing by using conveyors, separation equipment, balers and grinders, as follows:
    - i. mechanical separation of Waste categories from Single Stream (mixed) Recyclable Waste;
    - ii. baling of separate Waste categories from processing of Single Stream (mixed) Recyclable Waste;
    - iii. baling of Single Category (clean load) Recyclable Waste;
    - iv. grinding of Woodwaste;
    - v. screening of Excess Soil;

- i. segregation of the Waste by type and temporary storage in bins or stockpiles;
  - j. isolating the Rejected Waste, as required in this Approval;
  - k. consolidation of the outgoing Waste into a load, if the Waste is of the same type and is destined for the same destination;
  - l. compaction of the outgoing Wastes;
  - m. sampling and testing of the Waste, including the processed Waste, as required;
  - n. loading of the Waste, the processed Waste, the Residual Waste and the Rejected Waste into bins, trucks and/or trailers;
  - o. weighing all outgoing Waste truck loads and recording the results; and
  - p. transfer of the outgoing Waste, the processed Waste, the Residual Waste and the Rejected Waste to an approved waste disposal site, a site that is not subject to regulatory requirements or to any other site approved/licensed to accept such waste by an appropriate government agency of equivalent jurisdiction.
- (2) Mixed solid non-hazardous Waste, the Recyclable Waste shall be unloaded, processed, and loaded indoors, within the confines of the Transfer/ Processing Building, at all times.
  - (3) The Transfer/ Processing Building bay doors shall be closed, at all times, except for when a vehicle or equipment is entering or exiting the Transfer/ Processing Building.
  - (4) Only one bay door in the Transfer/ Processing Building shall be opened at the same time.
  - (5) Dedicated loads of waste concrete, waste brick, waste asphalt, Woodwaste may be unloaded, stockpiled, bulked and loaded into bins, trucks or trailers, outdoors in the dedicated areas as set out in the Supporting Documentation.
  - (6) After sorting within the confines of the Transfer/ Processing Building, reusable Waste materials limited to separated waste drywall, Woodwaste, waste metals, waste asphalt shingles, glass, porcelaine, paper and cardboard, tires and Blue Box Waste may be removed to dedicated outdoor storage areas as set out in the Supporting Documentation.

#### Management of Dry Soil

- (7) The following activities for management of the Dry Soil are approved under this Approval:
  - a. receipt of the Dry Soil at the Site;
  - b. weighing all incoming Dry Soil truck loads and recording the results;

- c. inspection of the incoming Dry Soil documentation and confirmation of compliance with the Approval requirements;
- d. off-loading and temporary storage of the incoming Dry Soil in the dedicated outdoor storage areas;
- e. temporary storage of the Dry Soil in the dedicated outdoor storage areas;
- f. segregating of the Dry Soil from different Source Sites/generators, if accepted at the Site un-characterized;
- g. Dry Soil processing, including treatment, as follows:
  - i. manual removal of debris (waste concrete, waste brick, waste rock) from the Dry Soil, as required;
  - ii. Dry Soil screening, as required;
  - iii. segregating by the Dry Soil category;
  - iv. mixing, bulking or blending of Similar Dry Soils prior to treatment;
- h. optional mixing, bulking or blending of Similar Dry Soils;
- i. sampling and testing of the Dry Soil, as required in this Approval;
- j. consolidating of the Similar Dry Soils into an outgoing load, if the Dry Soils are of the same type and are destined for the same destination;
- k. weighing all outgoing Dry Soil truck loads and recording the results; and
- l. transfer of the Dry Soil to a Reuse Site or an approved waste disposal site or any other site approved/licensed to accept such waste by an appropriate government agency of equivalent jurisdiction.

#### Mobile Equipment

- (9) Only Mobile equipment that has Air/Noise Approval is allowed to be operated at the Site.

#### **4.3 Incoming Waste Receipt**

- (1) The Owner shall only accept Waste that has been transported to the Site by haulers approved by the Ministry, or registered on the EASR, as required.
- (2) The Trained Personnel shall direct the Waste trucks to the designated Waste unloading areas.

- (3) The Trained Personnel shall visually inspect the incoming Waste loads prior to unloading, if possible, and again as it is being unloaded to confirm that the Waste is the type approved for receipt at the Site.
- (4) Any incoming Waste that exhibits characteristics suggesting that it is not an approved waste type shall be deemed a Rejected Waste and if possible, sent back to Source Site/generator or disposed of in accordance with this Approval, the EPA and Regulation 347.
- (5) All Waste and materials unloading shall be undertaken within the the designated areas as proposed in the Supporting Documentation.

Solid Non-Hazardous Waste, excluding Dry Soil

- (6) All non-hazardous solid mixed Waste, Dry Soil that cannot be beneficially re-used and the Recyclable Waste shall be unloaded indoors, within the confines of the Waste Transfer/Processing Building.
- (7) The dedicated loads of incoming Waste limited to waste brick, waste concrete, waste asphalt and Woodwaste may be unloaded outdoors in the designated areas as set out in the Supporting Documentation and as allowed by and in accordance with the municipal by-laws.

Dry Soil

- (8) The Dry Soil intended to be beneficially re-used shall be unloaded within the confines of the dedicated outdoor storage areas.
- (9) The Dry Soil loads arriving at the Site shall be accompanied by the required documentation as set out in Conditions 4.4 and 4.6.
- (10) Prior to accepting the incoming Dry Soil at the Site, the Trained Personnel shall review the documentation required under this Approval, for the incoming Soil.
- (11) If the Dry Soil loads arrive at the Site without the required documentation or with the documentation that is incomplete as required in Conditions 4.4 and 4.6, the Owner may accept the incoming Dry Soil at the Site subject to compliance with the requirements set out in Condition 4.7(1).
- (12) The Trained Personnel shall direct the truck to the designated characterized or un-characterized Dry Soil unloading area(s).
- (13) When insufficiently characterized or un-characterized Dry Soil is being accepted at the Site, upon arrival at the Site, the Soil shall be transferred forthwith from the truck into a designated storage area that is separated from other Soils, Waste and materials at the Site.
- (14) The Owner shall ensure that upon receipt at the Site the incoming un-characterized Dry Soils from different Source Sites/generators are separated until required characterization is completed,

as required under this Approval.

#### **4.4 Dry Soil - Source Site/Generator Documentation**

##### For Each Source Site/Generator

- (1) The Source Site/generator documentation shall be for the Dry Soil from each Source Site/generator.

##### Required Source Site/Generator Documentation

- (2) Prior to accepting any Dry Soil at the Site, the Owner shall acquire from the Source Site owner/generator the documentation that contains following information on the Source Site/generator, as applicable:
  - a. the generator's name and/or company name, address and contact information;
  - b. the Source Site/generator location;
  - c. current Source Site/generator activities and land use, including identifying any certain or likely Potentially Contaminating Activity;
  - d. past Source Site/generator activities and land use, including identifying any certain or likely Potentially Contaminating Activity; and
  - e. estimated quantity of the Dry Soil to be received at the Site.

#### **4.5 Dry Soil Characterization Requirements**

##### Instructions from Qualified Person

- (1) Any required Dry Soil characterization shall be done in accordance with instructions from and under the supervision of a Qualified Person.

##### Documentation by Qualified Person

- (2) Any required Dry Soil characterization documentation shall be prepared by a Qualified Person.

##### For Each Source Site/Generator

- (3) When accepting characterized Dry Soil, the Soil characterization documentation shall be for the Soil from each Source Site/generator.

##### For Each Reuse Site, Waste Disposal Site or Site or Beneficial Re-Use Approved/Permitted by an Appropriate Regulatory Agency of Equivalent Jurisdiction

- (4) When transferring the Dry Soil from the Site, the Soil characterization shall be done for each Reuse Site, waste disposal site or a site or beneficial re-use approved/permitted by an appropriate

regulatory agency of equivalent jurisdiction.

#### Sampling and Testing Protocols and Methods

- (5) The following shall be followed when determining the acceptable sampling and testing protocols and methods:
- a. sampling and testing protocols and methods, including the number of samples taken and their locations, the sampling methods used and handling of the samples, including references to any Ministry-published protocols or methods used, including but not limited to the following: Ministry's document entitled "*Principles of Sampling and Analysis of Waste for TCLP under Reg. 347* " and the protocols and methods in the Soil Rules, as amended; and
  - b. description of any deviations from the Ministry-published protocols and methods and whether or not the proposed protocols and methods used were as recommended by the Qualified Person or the accredited laboratory service provider.
- (6) When characterizing the Dry Soil Solids destined for beneficial re-use, sampling and testing protocols and methods approved/permitted by an appropriate regulatory agency and as required by the user shall be used to confirm compliance with the applicable quality criteria, standards and restrictions.

#### Hazardous Waste Definition Triggers

- (7) To confirm that the Dry Soil does not trigger any criteria from the hazardous waste definition from Regulation 347, the following shall be determined:
- a. procedures used to determine the Contaminants and the parameters that require physical and chemical analysis, including TCLP, to confirm that the Dry Soil does not trigger any criteria from the hazardous waste definition from Regulation 347; and
  - b. technical justification for the selection of the Contaminants/parameters, including analysis of the Source Site/generator information from Condition 4.4(2).

#### Bulk Concentrations of Contaminants and Other Characteristics

- (8) When bulk concentrations of the Contaminants are required, the following bulk concentrations shall be tested for:
- a. Petroleum Hydrocarbon Fractions;
  - b. petroleum hydrocarbon VOCs limited to Benzene, Toluene, Ethyl Benzene and Xylene;
  - c. heavy metals and hydride-forming metals (antimony, arsenic, barium, beryllium, boron, cadmium, chromium, cobalt, copper, lead, molybdenum, nickel, selenium, silver, thallium,

uranium, vanadium and zinc);

d. other applicable potential Contaminant(s) listed in Excess Soil Standards in Part II of the Soil Rules, including any other VOCs and SVOCs or inorganic Contaminants, as determined from the information contained in the general documentation required in Condition 4.4(2); and

e. Electrical Conductivity (EC) and Sodium Adsorption Ratio (SAR).

(9) When bulk concentrations of the Contaminants are required, the following shall be determined:

a. procedures used to determine the Contaminants that require chemical analysis; and

b. technical justification for selection of the Contaminants, including analysis of the Source Site/generator information from Condition 4.4(2).

(10) When bulk concentrations of the Contaminants are required the testing for the concentrations shall be completed in accordance with the requirements of section 47 of O. Regulation 153/04 (Analytical procedures), including the requirements in relation to the handling and storage of the samples, the requirement that the analyses of the samples be carried out by an accredited laboratory service provider and the requirements to comply with the Analytical Protocol.

#### Leachate Screening Levels

(11) To demonstrate compliance with the Leachate Screening Levels, the Ministry's Synthetic Precipitation Leaching Procedure (E9003 or mSPLP) or another method approved by the Director shall be used. The subsequent analysis of the leachate must be completed in accordance with the requirements of section 47 of O. Regulation 153/04 (Analytical procedures), including the requirements in relation to the handling and storage of the samples, the requirement that the analyses of the samples be carried out by an accredited laboratory service provider and the requirements to comply with the Analytical Protocol.

#### Laboratory Service Provider Credentials

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

#### Discrete Samples

(13) Discrete Samples shall be taken when analysing for:

a. Petroleum Hydrocarbon Fractions;

b. VOCs including Benzene, Toluene, Ethyl Benzene and Xylene;

c. SVOCs, which include the SVOCs with the Henry's Law constant greater than  $1 \times 10^{-5}$

atmosphere m<sup>3</sup>/mol and/or vapour pressure greater than 0.05 mm Hg and which, for example, are Acenaphthene, Acenaphthylene, Anthracene, Benz(a)anthracene, Fluorene, Methylnaphthalene (2-(1-)), Naphthalene, and Phenanthrene; and

d. polycyclic aromatic hydrocarbons/acid/base/neutral compounds.

#### Composite Samples

- (14) Composite Samples shall be taken when analysing for:
- a. metals, including barium, beryllium, boron, cadmium, chromium, cobalt, copper, lead, molybdenum, nickel, silver, thallium, uranium, vanadium, zinc, antimony, arsenic and selenium; Moved metals to composite sample to be consistent with MECP Guidance.
  - b. SVOCs with the Henry's Law constant less than  $1 \times 10^{-5}$  atmosphere m<sup>3</sup>/mol and/or vapour pressure less than 0.05 mm Hg.
- (15) The Owner shall ensure that the Composite Samples collection for metals is equivalent to the Discrete Samples collection, in terms of verifying compliance with the Excess Soil Standards.

#### **4.6 Incoming Dry Soil Characterization Documentation**

##### Dry Soil Characterization Documentation

- (1) Prior to accepting any incoming Dry Soil at the Site, the Owner shall acquire from each Source Site owner/generator the required characterization documentation set out in Condition 4.6(2) and/or Conditions 4.6(3) and 4.6(4).

##### Characterization of the Source Site/Generator Location

- (2) To demonstrate that the excavating Source Site/Generator location does not have a history of spills or below grade leaks and have not been or are not being used for any Potentially Contaminating Activity and that the Soil from the Source Site/Generator location is likely to be the type of waste approved for receipt at the Site, the characterization documentation shall include the following:
- a. the results of any Phase 1 ESA and Phase 2 ESA undertaken for the Source Site/generator location in accordance with the Ministry's requirements under O. Regulation 153/04; or
  - b. the following sampling and analytical information/results for the Source Site/generator location:
    - i. sampling, frequencies, methods and protocols for the required characterization; and
    - ii. analytical results confirming that the Excess Soil at the Source Site/generator location does not trigger any criteria from the hazardous waste definition from Regulation 347

and is in compliance with the Excess Soil Quality Criteria as determined, as set out in Condition 4.5, as applicable.

#### Characterization of the Dry Soil

- (3) To demonstrate that the incoming Dry Soil is the type of waste approved for receipt at the Site, the Owner shall acquire documentation from the Source Site owner/generator showing the results of its characterization.
- (4) As a minimum, the characterization documentation shall include the following information:
  - a. sampling methods and protocols for the required characterization; and
  - b. the analytical results confirming that the Dry Soil does not trigger any criteria from the hazardous waste definition from Regulation 347 and that the concentrations of Contaminants/other characteristics comply with the Excess Soil Quality Criteria, as set out in Condition 4.5, as applicable.

#### Documentation to Show that Waste is Approved for Receipt

- (5) Despite any documentation submission and testing requirements set out in Conditions 4.6(1) through 4.6(7), the Owner shall acquire any applicable documentation to prove that the incoming Dry Soil is the waste type approved for receipt at the Site.

#### **4.7 Incoming Dry Soil with Incomplete Characterization Documentation or without Characterization Documentation**

- (1) Despite characterization documentation requirements set out in Condition 4.6 and provided that the incoming waste is expected to be a Dry Soil approved for receipt at the Site, the Dry Soil may be received at the Site with incomplete characterization documentation or without the required characterization documentation, if the following requirements are complied with:
  - a. the incoming Dry Soil load is accompanied by the Source Site/generator site documentation required in Condition 4.4(2);
  - b. the incoming loads from the same Source Site/generator are kept separate from all other Dry Soil, Waste and materials, until the characterization at the Site has been completed; and
  - c. the Owner carries out Dry Soil sampling and testing, as required in this Approval.

#### **4.8 Dry Soil Processing**

- (1) Unless otherwise required by this Approval, the Dry Soil processing shall be carried out by the Trained Personnel and as described in the Supporting Documentation.

### Physical Processing

- (2) All processing, stockpiling, loading and unloading areas shall be within the confines of the outdoor processing areas as described in the Supporting Documentation.
- (3) Physical Processing is limited to Dry Soil manual removal of the Rejected Waste from the Soil, Dry Soil segregation and/or screening.

### **4.9 Blending, Bulking or Mixing Rules**

#### Prohibition to Reduce or Dilute Concentrations of Contaminant(s)

- (1) The Owner shall not blend, bulk or mix loads of Dry Soils from different Source Sites/generators or blend, bulk or mix the Dry Soil, including the Processed Soils, of different quality or with other waste or materials if the purpose of blending, bulking or mixing is to reduce or dilute concentrations of Contaminant(s) present in the Soil.

#### Blending, Bulking or Mixing of Dry Soils

- (2) The Dry Soils, including the Processed Soils, may be blended, bulked or mixed together to meet the customer's specifications if done in accordance with the rules in this Approval, O. Regulation 406/19, including compliance with the definition of Excess Soil.

#### Prohibition of Blending, Bulking or Mixing of Dry Soils with Waste Subject to Approval Requirements

- (3) At no time, shall any Dry Soils, including the Processed Soils, intended for deposition at a Reuse Site, be blended, bulked or mixed with any waste that is subject to approval requirements under section 20.2 of Part II.1 of the EPA.

#### No Blending, Bulking or Mixing of Un-characterized Dry Soil

- (4) The Owner shall not blend, bulk or mix un-characterized Dry Soil at the Site until the Dry Soil has been characterized at the Site in accordance with this Approval to show that the Soils from different Source Sites/generators and intended for blending, bulking or mixing are Similar and in compliance with the Excess Soil Criteria for the same proposed Reuse Site or other final destination.

#### Mixing, Bulking or Blending of Dry Soils for Reuse

- (7) When the Dry Soil is destined for a Reuse Site, the Owner may blend, bulk or mix Dry Soils at the Site, provided that,
  - a. the Source Site/generator site documentation from Condition 4.4(2) has been provided to the Owner;

- b. the Dry Soil was accepted at the Site with the characterization documentation required in Condition 4.6 or has been sampled and tested at the Site in accordance with this Approval; and
  - c. the documentation or the on-Site testing shows that the Dry Soils from different Source Sites/generators and intended for blending, bulking or mixing are Similar and comply with the applicable Excess Soil Quality Criteria for the same proposed Reuse Site.
- (8) Despite provisions of Condition 4.9(7), when bulking, mixing or blending Soil loads containing Contaminant(s) concentrations that exceed Table 2.1 Excess Soil Standards, the Owner may only bulk, mix or blend Soil in compliance with the following:
- a. the Owner may only bulk, mix or blend Soil loads that are characterized to have the Contaminant(s) concentrations within the same table of the Excess Soil Standards and in the same following Contaminant group(s):
    - i. Group 1: petroleum hydrocarbon fractions: F1 (C6-C10), F2 (>C10-C16), F3 (>C16-C34), and F4 (>C34) and Benzene, Toluene, Ethyl Benzene and Xylene;
    - ii. Group 2: Organic Volatile Organic Compounds (VOCs), Semi-Volatile Organic Compounds (SVOCs), Polycyclic Aromatic Hydrocarbons (PAHs), etc.;
    - iii. Group 3: metals and hydride-forming metals (antimony, arsenic, barium, beryllium, boron, cadmium, chromium, cobalt, copper, lead, molybdenum, nickel, selenium, silver, thallium, uranium, vanadium and zinc); and
    - iv. Group 4: Electrical Conductivity (EC) and Sodium Adsorption Ratio (SAR).
- (9) Notwithstanding provisions of Conditions 4.9(7) and 4.9(8), the Dry Soils, destined for deposition at a Reuse Site may only be blended, bulked or mixed if this activity is done in accordance with O. Regulation 406/19 and the Soil Rules.

Dry Soil Destined for Further Processing

- (10) When the Dry Soil is destined for a waste disposal site for further processing off-Site, the Owner shall ensure that all Soil loads containing Contaminant(s) concentrations exceeding Table 2.1 Excess Soil Standards have Contaminant concentrations that can be processed as approved in the environmental compliance approval for that waste disposal site and as required by the waste disposal site owner.

Dry Soil Destined for Further Processing or Final Disposal at a Waste Disposal Site or a Site in Equivalent Jurisdiction

- (11) When the Dry Soil is destined for a waste disposal site for further processing or Final Disposal,

the Owner may blend, bulk or mix Dry Soil at the Site, provided that,

- a. the Source Site/generator site documentation from Condition 4.4(2) has been provided to the Owner; and
- b. the Dry Soil was accepted at the Site with the characterization documentation required in Condition 4.6, and as required by,
  - i. an environmental compliance approval for that waste disposal site and as required by the waste disposal site owner; or
  - ii. a licence/permit by an appropriate regulatory agency of equivalent jurisdiction and as required by the receiving site owner; or
- c. the Dry Soil has been sampled and tested at the Site in accordance with this Approval; and
- d. the documentation or the on-Site testing shows that the Dry Soils from different Source Sites/generators and intended for blending, bulking or mixing are Similar and comply with,
  - i. the quality criteria required by the environmental compliance approval for that waste disposal site and as required by the waste disposal site owner; or
  - ii. the applicable quality criteria and restrictions required by the said regulatory agency and as required by the receiving site owner.

#### Dry Soil from Residential Use Source Sites

- (12) When the Dry Soil originates from Residential Use Source Sites that do not have a history of spills or below grade leaks and have not been or are not being used for any Potentially Contaminating Activity, the Owner shall,
  - a. keep this Dry Soil separate from all other Soil, wastes and materials; and
  - b. bulk, mix and blend this Dry Soil into a Dry Soil mixture to comply with the applicable quality criteria and restrictions required for a proposed final destination.

#### Rock

- (13) When Rock materials are destined for a sale for beneficial re-use, all Rock materials to be blended, bulked or mixed shall be Similar and shall comply with the applicable quality criteria, standards and restrictions required by the applicable regulatory agency and as required by the user.
- (14) When Rock materials are destined for blending, bulking or mixing with the Dry Soil for deposition at a Reuse Site, the blending, bulking or mixing shall be done in accordance with O. Regulation 406/19 and the Soil Rules and the mixture shall comply with the Excess Soil Criteria

for the proposed Reuse Site.

#### **4.10 Storage**

##### Total Storage Capacity

- (1) The maximum total design storage capacity for all Waste, including any Residual Waste, at the Site, is approximately 7,562.5 tonnes, at any one time.

##### Waste Storage in Transfer/Processing Building

- (2) Waste shall be stored as proposed in the Supporting Documentation, as follows:
  - a. A maximum of 1,075 tonnes of Waste is approved to be in the Transfer/Processing Building or Area A; and
  - b. All unprocessed solid non-hazardous mixed Waste and the Recyclable Waste, and treated wood shall be stored within the confines of the Transfer/Processing Building.

##### Outdoor Storage

- (3) Dry Soil shall be stored as proposed in the Supporting Documentation, as follows:
  - a. A maximum of 5,160 tonnes of Dry Soil is approved to be stored outdoors; and
  - b. All Dry Soil shall be stored within the confines of the dedicated outdoor storage area, placed and processed on an impermeable surface.
  - c. Soil loads containing Contaminant(s) concentrations that exceed Table 2.1 Excess Soil Standards for the intended reuse site, the soil shall be stored separately and covered with a polyethylene tarp.
- (4) A maximum of 6,487.5 tonnes of Waste is approved to be stored outdoors.
- (5) Of the Waste amount in Condition 4.10(4),
  - a. a maximum of 44.5 tonnes of Recyclable Waste, including waste drywall and waste tires etc. shall be stored in Area B in outdoor storage bins;
  - b. a maximum of 128 tonnes of scrap metal and waste asphalt shingles shall be stored in Area C in storage bunkers;
  - c. a maximum of 5,160 tonnes of Excess Soil in Area D in the outdoor processing area; and
  - d. a maximum of 1,155 tonnes of waste brick, waste concrete, waste asphalt, and Woodwaste

shall be stored in Area E in storage bunkers.

- (6) Approximate Waste stockpile heights are proposed as follows:
  - a. Area C stockpile height: 5.0 metres
  - b. Area D stockpile height: 6.5 metres
  - c. Area E stockpile height: 6.0 metres for Woodwaste and 5.0 metres for other Waste
- (7) The bins shall be covered overnight, prior to atmospheric precipitation events and prior to high wind events to prevent litter emissions.
- (8) The Waste that is approved to be stored in outdoor stockpiles shall be managed to minimize fugitive dust and odour emissions, including wetting the stockpiles, as needed.
- (9) Notwithstanding provisions of Conditions 4.10(4) through 4.10(8), the outdoor storage of Waste is only allowed subject to the municipal by-law provisions and restrictions and as approved in the Sewage Works Approval and the Air/Noise Approval.

#### Overnight Storage

- (10) Waste shall not be stored within vehicles at the Site overnight.

#### Waste Segregation and Tracking

- (11) All Wastes received at the Site shall be segregated from other incompatible Wastes and materials.
- (12) All Waste, including the processed Waste and processed Dry Soil shall be stored in the designated areas and as set out in Supporting Documentation.
- (13) Waste stockpiles shall be separated based on the type, quality and the final destination/proposed use.
- (14) The Dry Soil stockpiles shall be labelled and tracked based on the type, quality and the final destination/proposed use.

#### **4.11 Leachate Storage Tank**

- (1) The Owner is approved to store leachate generated by Blue Box Waste as follows:
  - a. leachate collected in the Waste Transfer/Processing Building shall be stored in one (1) 1,200 L above-ground storage tank (AST);
  - b. the AST shall be constructed and operated within or immediately outside of the

Transfer/Processing Building;

- c. the AST shall be a double-walled tank;
  - d. the Owner shall ensure that sufficient storage capacity is available in the AST prior to loading of the leachate into the AST; and
  - e. the Owner shall monitor and control the leachate level in the AST on a regular basis to ensure that the design storage capacity available within the AST is not exceeded.
- (2) Leachate collected in the AST shall be disposed of at a site with an environmental compliance approval issued by the Ministry.
- (3) The Owner shall submit to the Director for approval, a re-evaluation of the amount of Financial Assurance no later than 30 days from the start date of the storage of leachate in the AST on Site.

#### **4.12 Rejected Waste Management**

- (1) Waste shall be deemed to be a Rejected Waste if,
- a. waste not approved under this Approval is inadvertently accepted at the Site;
  - b. the Rejected Waste constituents are found in the load and cannot be removed; or
  - c. any characterization of the incoming Waste at the Site finds it to be unacceptable for receipt at the Site.
- (2) The Owner shall ensure that this Rejected Waste:
- a. is immediately removed from the Site or if immediate removal is not possible, is temporarily stored as proposed in the Supporting Documentation; and
  - b. is removed from the Site,
    - i. within (4) business days of its receipt at the Site or receipt of the laboratory report from the analysis of the Waste deemed as the Rejected Waste, as applicable; or
    - ii. as acceptable to the District Manager.
- (3) If unacceptable constituents can be removed from the Waste load, the removed Rejected Waste shall be separated from other Waste approved for receipt as proposed in the Supporting Documentation.
- (4) All Rejected Waste shall be segregated from all other Wastes, reagents and materials.
- (5) The Rejected Waste shall be stored within the confines of the Transfer/Processing Building or

the dedicated outdoor storage area.

- (6) The Rejected Waste that is stored outdoors, shall be stored on top of a pallet and kept from contact with the ground and covered to prevent contact with atmospheric precipitation, as required.
- (7) In the event of the receipt of the Rejected Waste, a record shall be made in the daily log book or in an electronic file of the reason why the waste is being refused and of the origin of the waste.
- (8) District Manager shall be notified in writing of the receipt of the Rejected Waste in accordance with the requirements set out in Condition 15.1.
- (9) Notwithstanding provisions of Conditions 4.12(1) through 4.12(8), the Owner shall ensure that all Rejected Waste at the Site is managed and disposed of in accordance with the EPA and Regulation 347.
- (10) The Rejected Waste shall be transfer from the Site to a waste disposal site with an environmental compliance approval or to any other site approved/licensed to accept such waste by an appropriate government agency of equivalent jurisdiction.

#### **4.13 Residual Waste Management**

- (1) The Owner shall ensure that all Residual Waste types generated at the Site is segregated from all other Waste, reagents and materials, at all times.
- (2) Based on the final destinations, different categories of the Residual Waste shall be separated so that cross-contaminated is effectively prevented.
- (3) Putrescible waste and any odourous Residual Waste shall always be stored in the Transfer/Process Building.
- (4) Temporary indoor storage of the Residual Waste destined for Final Disposal may be conducted until sufficient quantities are accumulated for efficient transportation and disposal.
- (5) Despite provisions of Condition 4.13(4), the Owner shall not exceed the storage amounts approved in this Approval.
- (6) Despite provisions of Conditions 4.13(3) and 4.13(4), if any stored Residual Waste is found to cause odour complaints, the Residual Waste shall be transferred off-Site immediately or as acceptable to the District Manager.
- (7) The Residual Waste shall be disposed of at a waste disposal site with an environmental compliance approval issued by the Ministry.
- (8) The Owner shall ensure that all Residual Waste generated at the Site are managed and disposed

of in accordance with the EPA and Regulation 347 at Ministry-approved waste disposal sites.

#### **4.14 Cross-Contamination Prevention**

- (1) The Owner shall ensure that the incoming Waste, including the Dry Soil, and the equipment used in handling of the incoming Waste are kept separate and do not come in contact with the processed Waste and tested Waste unless the equipment has been cleaned first, as required, to prevent cross-contamination.
- (2) The Waste handling equipment cleaning shall be as proposed in the supporting documentation in the attached Schedule 1.

#### **4.15 Stormwater Management**

- (1) The stormwater at the Site shall be managed in accordance with the Sewage Works Approval.

#### **4.16 Prohibitions**

- (1) Burning of any wastes is prohibited at the Site.
- (2) Scavenging of any wastes is prohibited at the Site.
- (3) No outdoor storage of any wastes or materials is permitted at any time, except as approved in this Approval.

### **5.0 EQUIPMENT MAINTENANCE and SITE INSPECTIONS**

#### **5.1 Inspections**

- (1) Prior to the first receipt of the Blue Box Waste at the Site or as required by the District Manager, the Owner shall prepare a comprehensive written inspection program which includes procedures for inspections of all aspects of the Site's operations including the following:
  - a. all Waste loading/unloading/storage/handling areas;
  - b. condition of all major pieces of the equipment;
  - c. condition of all instruments for monitoring required under this Approval;
  - d. security fence and property line;
  - e. presence of the on and off-Site litter;
  - f. presence of vector, vermin and rodents at the Site; and

g. presence of odour and dust emissions from the operation of the Site.

- (3) The inspection program shall be up-dated, as required, shall be retained at the Site and be made available for inspection by a Provincial Officer, upon request.
- (4) The Owner shall ensure that the required Site inspections are undertaken daily by the Trained Personnel in accordance with the applicable inspection program to ensure that all Equipment and facilities at the Site are maintained in good working order at all times and that no off-Site impacts are occurring. Any deficiencies detected during these regular inspections must be promptly corrected.

## **5.2 Spare Parts**

- (1) The Owner shall prepare a list of critical spare parts and update this list annually or more frequently, if necessary, to ensure that this list is maintained up-to-date. The list shall be retained at the Site and be made available for inspection by a Provincial Officer, upon request.
- (2) The Owner shall ensure that the critical spare parts are available at the Site at all times or be immediately available from an off-Site supplier.

## **5.3 Maintenance**

- (1) The Owner shall develop and implement a preventative maintenance program for all on-Site equipment associated with the processing and managing of wastes and process reagents and control of fugitive odour and dust emissions.
- (2) The preventative maintenance program referred to in Condition 5.3(1) shall be maintained up-to-date, be retained at the Site and be available for inspection by a Provincial Officer, upon request.

## **6.0 MONITORING**

### **6.1 Leachate AST**

- (1) The Owner shall monitor the leachate AST as proposed in the Supporting Documentation.

## **7.0 CHARACTERIZATION at the SITE**

### **7.1 Characterization of the Incoming Dry Soil**

- (1) Unless the incoming Dry Soil has been already adequately characterized at the Source Site/generator site or the Source Site/generator site has been characterized as required by this Approval, the Owner shall sample and characterize the incoming Dry Soil at the Site.

- (2) The Dry Soil shall be sampled and characterized prior any blending, bulking and mixing at the Site or transfer off-Site to an allowed destination.
- (3) If sampling the incoming Dry Soil, the Owner shall sample the Soil,
  - a. within twenty-four (24) hours from its receipt, or on the next business day, whichever comes first; or
  - b. when receiving Dry Soil from the same Source Site/generator over several days, within twenty-four (24) hours from last load receipt, or on the next business day, whichever comes first.
- (4) Any deviations from the deadline for sampling of the incoming Dry Soil, from Condition 7.1(3) shall be first agreed to, in writing, by the District Manager.
- (5) For sampling and testing of the incoming Dry Soil, the Owner shall use the sampling procedures, methods, equipment and techniques, and the analytical methods and requirements set out in Conditions 4.5 and 4.6, as applicable.
- (6) Notwithstanding provisions of Conditions 7.1(3) through 7.1(5), the Owner shall sample and characterize the Dry Soil in accordance with the requirements of O. Regulation 406/19 and the Soil Rules.

## **7.2 Testing of the Dry Soil Destined for a Reuse Site**

- (1) Prior to its shipment from the Site to a Reuse Site, the Owner shall ensure that the Dry Soil is characterized in accordance with this Approval.
- (2) If the incoming Dry Soil has been accepted at the Site in accordance with Condition 4.7(1), the Owner shall carry out Soil sampling set out in the Soil Rules and this Approval and as instructed by the Reuse Site owner.
- (3) When required to sample a stockpile, the Owner shall take representative samples from each stockpile from each Source Site/generator.
- (4) When required to sample the total amount of the Dry Soil destined for a particular Reuse Site, the Owner shall determine the number of samples for the total amount from the requirements in the Soil Rules.
- (5) The Owner shall sample the Dry Soil within twenty-four (24) hours from completion of the Stockpile construction or when the total amount of the Dry Soil has been accumulated, or on the next business day, whichever comes first.
- (6) No additional Dry Soil shall be added to the Stockpile or the total amount of the Dry Soil, after sampling has been completed.

- (7) For sampling and testing of the Dry Soil, the Owner shall use the sampling procedures, methods, equipment and techniques, and the analytical methods and requirements set out in Conditions 4.5 and 4.6, as applicable and in accordance with the O. Regulation 406/19 and the Soil Rules.
- (8) If there is a conflict between the requirements of in Condition 7.2(7) of this Approval and the Soil Rules, the Soil Rules shall take precedence.

### **7.3 Testing of the Dry Soil Destined for a Waste Disposal Site or a Site Approved/Permitted by an Appropriate Regulatory Agency of Equivalent Jurisdiction**

- (1) Prior to its shipment from the Site to a waste disposal site, the Owner shall characterize the Dry Soil to demonstrate that the Soil are suitable for acceptance at the receiving waste disposal site, as required by the waste disposal site environmental compliance approval and as instructed by the owner of the waste disposal site.
- (2) Prior to its shipment from the Site to a site approved/permited by an appropriate regulatory agency of equivalent jurisdiction, the Owner shall characterize the Dry Soil to demonstrate that the Soil is suitable for receipt at the site, in compliance with the approval/permit for the site and as required by the site owner.
- (3) If there are no characterization provisions in the waste disposal site environmental compliance approval from Condition 7.5(1) or instructions from the owner of the waste disposal site, the Owner shall characterize the Dry Soil as set out in Condition 7.5.

### **7.4 Testing of the Rock for Beneficial Re-Use**

- (1) Prior to its shipment from the Site and sale for a beneficial re-use as an aggregate material, the Owner shall test the Rock materials as required by the receiver.

### **7.5 Testing of Residual Waste**

- (1) If required by the receiving site owner, prior to its shipment from the Site to a waste disposal site, the Owner shall characterize the Residual Waste to demonstrate that the Waste is suitable for acceptance at the receiving waste disposal site, as required by the waste disposal site environmental compliance approval and as instructed by the owner of the waste disposal site.
- (2) When characterizing the Residual Waste, the Owner shall use sampling and testing protocols and methods, including the number of samples taken and their locations, the sampling methods used and handling of the samples, including references to any Ministry-published protocols or methods.
- (3) Any deviations from the Ministry-published protocols and methods shall be made by a Qualified Person or the accredited laboratory service provider or a Professional Engineer with expertise in Excess Soil/waste sampling and testing.

## **8.0 TESTED SOIL QUALITY CRITERIA, DISPOSAL and RE-USE REQUIREMENTS**

### **8.1 Quality Criteria for the Dry Soil**

- (1) The Dry Soil or mixtures of the Dry Soil and the Rock destined to be finally placed or that is intended to be finally placed at a Reuse Site shall meet the applicable Excess Soil Criteria.
- (2) The Dry Soil or mixtures of the Dry Soil and the Rock destined for a waste disposal site or any other site approved to accept such waste by an appropriate government agency of equivalent jurisdiction, shall not exceed the criteria set out in the environmental compliance approval issued by the Ministry for the waste disposal site or the site approved/permited to accept such waste by an appropriate government agency of equivalent jurisdiction.

### **8.2 Quality Criteria for the Rock**

- (1) The Rock materials destined for a sale for beneficial re-use shall comply with the applicable quality criteria, standards and restrictions required by the applicable regulatory agency and as required by the user.
- (2) The Rock destined for blending, bulking and mixing with the Dry Soil shall meet the applicable Excess Soil Criteria.

### **8.3 Dry Soil as Excess Soil Destined for a Reuse Site**

- (1) The Dry Soil may leave the Site as Excess Soil to be finally placed or that is intended to be finally placed at the Reuse Site only if tested in accordance with the requirements set out in this Approval, O. Regulation 406/19 and the Soil Rules to show compliance with the Excess Soil Criteria.

### **8.4 Dry Soil Destined to a Waste Disposal Site or a Site in Another Jurisdiction**

- (1) The tested Dry Soil may be transferred to a waste disposal site or any other site approved to accept such waste by an appropriate government agency of equivalent jurisdiction subject to compliance with the applicable quality criteria and restrictions and criteria set out in the environmental compliance approval issued by the Ministry for the waste disposal site or the other site approved/permited to accept such waste by an appropriate government agency of equivalent jurisdiction.

### **8.5 Disposal of Non-Reusable Soil-like Waste**

- (1) Except for the Dry Soil, intended for use in accordance with Conditions 8.3 through 8.4, the Owner shall ensure that,
  - a. all Rock materials that do not meet the definition of an Inert Fill;

- b. all incoming Dry Soil that contains more Rock than allowed in Excess Soil as defined in O. Regulation 406/19;
- c. all incoming Dry Soil that contains more than an insignificant amount of incidental construction and/or demolition waste or other non-hazardous waste Debris; and
- d. all incoming Dry Soil that contains foundry sands, slag, emission control dusts or treatment residues;

are transferred to:

- i. a waste disposal site approved to accept that type of waste to be further processed, used or disposed of in accordance with the environmental compliance approval for that site; or
- ii. a location not required to obtain an environmental compliance approval but having an appropriate jurisdictional approval or a license, if required.

## **9.0 HOUSEKEEPING and NUISANCE / ADVERSE EFFECT IMPACT CONTROL**

- (1) The Site shall be operated and maintained such that dust, mud track-out, litter, odour, and noise do not create a nuisance or an Adverse Effect.

### **9.1 Trucks and Traffic**

- (1) The Owner shall visually inspect the vehicles that have delivered the Waste to the Site for evidence of leaking or dripping waste. The Owner of the vehicles that leak shall be given a written notice of the presence of the leak. The notice shall include the vehicle owner's name, the vehicle environmental compliance approval number, if applicable, the type of Waste delivered to the Site and the date of the delivery. A copy of the notice shall be retained at the Site and it shall be provided to the Ministry staff upon request.
- (2) The Owner shall ensure that the exterior of all vehicles delivering the Waste to the Site is cleaned prior to their departure from the Site, as appropriate.
- (3) The Owner shall ensure that there is no queuing or parking of vehicles that are waiting to enter the Site on any roadway that is not a distinct part of the Site.
- (4) The Owner shall ensure that the vehicles transporting waste to and from the Site use the designated on-Site traffic routes.
- (5) The Owner shall ensure that all new drivers of vehicles transporting waste to and from the Site are instructed/trained on the acceptable on-Site traffic routes.
- (6) The Owner shall ensure that all vehicles hauling waste are adequately covered to prevent fugitive odour or dust emissions during transport.
- (7) All waste must be transported to and from the Site in accordance with the EPA and Regulation 347 and in vehicles that have been approved by the Ministry or registered on the EASR, as

required.

- (8) The Owner shall ensure that all drivers of vehicles making deliveries and removing waste from to the Site are made aware of the protocols to manage opening and closing of the doors in the buildings at the Site.
- (9) The Owner shall determine the Site access truck traffic routes and shall ensure that all drivers of vehicles making deliveries and removing waste from to the Site are made aware of the traffic routes restrictions and requirements.
- (10) The Owner shall take all necessary measure to prevent the vehicles leaving the Site from dragging out mud or waste onto the public roadways and promptly clean up the any dragged out mud or waste if drag-out occurs.
- (11) The Owner shall implement effective road cleaning procedures for the roads to and from the Site to minimize the impacts from the fugitive dust from the truck traffic related to the Site, as required by the District Manager.
- (12) To minimize the risk of Dry Soil spilling during transport or causing fugitive dust emissions, the Owner shall,
  - a. inspect all outgoing Soil trucks for use of appropriate covers and freeboard levels;
  - b. inform all vehicle drivers using the Site of the vehicle covering and freeboard level requirements required to minimize the risk of Soil spilling during transport; and
  - c. ensure that all Soil trucks departing from the Site are equipped with appropriate means of minimizing dust emissions during transport and, as a minimum, that the vehicles are covered with a properly functional tarp and filled to have an appropriate freeboard to minimize the risk of spilling during transport.

## **9.2 Litter**

- (1) The Owner shall prevent the escape of litter from the Site and pick up litter around the Site on a daily basis, or more frequently if necessary.

## **9.3 Vectors, Vermin and Wildlife**

- (1) The Owner shall:
  - a. implement necessary housekeeping procedures to eliminate sources of attraction for vermin, vectors and wildlife; and
  - b. if necessary, hire a qualified, licensed pest control professional to design and implement a pest control plan for the Site.

#### **9.4 Dust**

- (1) Dust mitigation shall be in compliance with the "Best Management Practices Plan", as defined and approved in the Air/Noise Approval.
- (2) The Owner shall not use wastewater or leachate to wet any Waste stockpiles, the on-Site roads and storage areas.

#### **9.5 Odour**

- (1) Odour mitigation shall be in compliance with the "Odour Management Plan", as defined and approved in the Air/Noise Approval.

### **10.0 COMPLAINTS MANAGEMENT**

- (1) A designated representative of the Owner shall be available to receive public complaints caused by the operations at the Site twenty-four (24) hours per day, seven (7) days per week.
- (2) If at any time, the Owner receives a complaint regarding the operation of the Site, the Owner shall respond to the complaint according to the following procedure:
  - a. the Owner shall record each complaint on a formal complaint form entered in a computerized tracking system. The information recorded shall include the nature of the complaint, circumstances of the complaint including the wind direction and other weather conditions, the name, address and the telephone number of the complainant, if available, and the time and date of the complaint;
  - b. the Owner, upon notification of the complaint shall initiate appropriate steps to determine all possible causes of the complaint, proceed to take the necessary actions to eliminate the cause of the complaint and forward a formal reply to the complainant; and
  - c. the Owner shall immediately notify the Ministry in writing, of the complaint, followed with the submission of a written report within one (1) week of the complaint detailing what actions, if any, were taken to identify and remediate the cause of the complaint, the name(s) of Owner's personnel responsible for handling the incident and a description of the measures taken to prevent a similar occurrence in the future.

### **11.0 OPERATIONS MANUAL and PERSONNEL TRAINING**

#### **11.1 Operations Manual**

- (1) The Owner shall maintain an Operations Manual for the Site. As a minimum, the Operations Manual must contain the following:
  - a. outline of the responsibilities of the Site personnel;

- b. personnel training protocols;
  - c. Site operating procedures including but not limited to, waste receiving, unloading/loading, screening, handling and storage and processing;
    - i. waste receiving, unloading/loading, screening, processing, handling and storage;
    - ii. Residual Waste and Rejected Waste handling at the Site and removal from the Site; and
    - iii. mixing, bulking and blending procedures;
  - d. sampling, testing, monitoring and recording procedures as required by this Approval;
  - e. required data recording procedures;
  - f. emergency response procedures including an outline of the responsibilities of Site personnel including roles and responsibilities during emergency situations, exit locations and evacuation routing, and locations of relevant equipment available for handling of the emergency situations;
  - g. the contingency plans for the Site;
  - h. equipment and Site inspection procedures, as required by this Approval;
  - i. nuisance impact control and housekeeping procedures, as required by this Approval; and
  - j. the procedures for handling and recording complaints as described in this Approval.
- (2) A copy of the Operations Manual shall be kept at the Site, must be accessible to Site personnel at all times and must be updated, as required.
- (3) A copy of the Operations Manual shall be available to the Ministry staff upon request at any time.

## **11.2 Personnel Training**

- (1) All operators of the Site shall be trained with respect to the following as per the specific job requirements of each individual operator:
- a. relevant air, noise, wastewater and waste management legislation, regulations and guidelines;
  - b. major environmental concerns pertaining to the wastes to be handled at the Site;
  - c. occupational health and safety concerns pertaining to the processes and wastes to be handled

at the Site;

- d. management procedures including the use and operation of equipment for the processes and wastes to be handled at the Site;
- e. dust management procedures in accordance with the "Best Management Practices Plan", as defined and approved in the Air/Noise Approval, for the Site;
- f. odour management procedures in accordance with the "Odour Management Plan", as defined and approved in the Air/Noise Approval;
- g. records keeping procedures;
- h. contingency plan and emergency response procedures;
- i. specific written procedures for the prevention of Adverse Effects from the Site;
- j. specific written procedures for refusal of unacceptable incoming Waste loads; and
- k. the requirements of this Approval.

(2) The training of the operators of the Site shall also include the procedures contained in the Operations Manual.

(3) The training of the operators of the Site shall be undertaken:

- a. upon commencing employment at the Site in a particular position; and
- b. whenever procedures are updated or during the planned refresher training.

## **12.0 CONTINGENCY MEASURES and EMERGENCY SITUATION RESPONSE PLAN**

### **12.1 Emergency Response and Contingency Plan**

(1) A minimum of three (3) months prior to the first receipt of the Waste at the Site, the Owner shall prepare an Emergency Response and Contingency Plan for the Site. The Emergency Response and Contingency Plan shall be revised, as required, in consultation with the District Manager. The Owner shall also invite the local municipality and the local fire service authority to provide input and/or comments into revisions of the Emergency Response and Contingency Plan. The Emergency Response and Contingency Plan, as a minimum must include the following:

- a. emergency response procedures to be undertaken in the event of a process upset, power failure, fire or any other emergency situation, including specific clean up methods for wastes expected to be generated from the emergency situation;
- b. emergency response procedures to be undertaken in the event of a spill as required in O.

Regulation 224/07;

- c. a list of equipment and clean up materials available for dealing with the emergency situations and their locations on the Site plan;
  - d. notification protocol with names and telephone numbers of persons to be contacted, including persons responsible for the Site, the Ministry's District Office and Spills Action Centre, the local fire service authority, the local Municipality, the local Medical Officer of Health, and the Ministry of Labour, and the names and telephone numbers of waste management companies available for emergency response;
  - e. procedures and actions to be taken if the incoming Waste does not meet the quality criteria set out in this Approval;
  - f. procedures and actions to be taken if the outgoing Wastes do not meet the quality criteria set out in this Approval;
  - g. procedures and actions to be taken if the outgoing Wastes does not meet the required quality criteria;
  - h. procedures and actions to be taken should the waste management activities at the Site result in occurrence of complaints;
  - i. procedures and actions to be taken should the occurrence of complaints require the Owner to implement additional environmental impact control measures; and
  - j. procedures and actions to be taken should the occurrence of complaints require the Owner to suspend the waste handling activities at the Site.
- (2) An up-to-date version of the Emergency Response and Contingency Plan shall be kept at the Site, in a central location known and available to all Site personnel. A copy shall be made available to Ministry staff upon request at any time and to the local municipality and the local fire service authority, if requested.
- (3) The Emergency Response and Contingency Plan shall be reviewed on an annual basis and updated, if necessary. The revised version of the Emergency Response and Contingency Plan shall be provided to the District Manager and to the local municipality and the local fire service authority, if requested.
- (4) The Owner shall keep at the Site and make it available to the Provincial Officer a Spill Prevention and Contingency Plan as prescribed in O. Regulation 224/07.

### **13.0 EMERGENCY SITUATIONS RESPONSE and REPORTING**

- (1) The Owner shall immediately take all necessary measures, as set out in the Emergency Response

and Contingency Plan, to handle the emergency situations occurring at the Site.

- (2) The Owner shall ensure that the equipment and materials outlined in the Emergency Response and Contingency Plan are immediately available at the Site at all times and are in a good state of repair and fully operational.
- (3) The Owner shall ensure that all Site employees are fully trained in the use of the equipment and materials outlined in the Emergency Response and Contingency Plan, and in the procedures to be employed in the event of an emergency.
- (4) All Spills shall be immediately reported to the **Ministry's Spills Action Centre at 1-800-268-6060** and to the local municipality and shall be recorded in the log book as to the nature and cause of the Spill, and the action taken for clean-up, correction and prevention of similar future occurrences.
- (5) Should a Spill occur at the Site, in addition to fulfilling the requirements from the EPA, the Owner shall submit to the District Manager a written report within three (3) calendar days outlining the nature of the Spill, remedial measures taken and the measures taken to prevent future occurrences at the Site.

#### **14.0 RECORDS KEEPING and RETENTION**

- (1) The Owner shall retain all records required by this Approval for a minimum of five (5) years.
- (2) All records generated as required by this Approval shall include a date of record and the name and signature of the person completing the report.
- (3) All measurements shall be recorded in consistent metric units of measurement.

#### **14.1 Daily Activities**

- (1) The Owner shall maintain a written or digital record of daily activities undertaken at the Site. All measurements shall be recorded in consistent metric units of measurement. The record shall include, as a minimum, the following information:
  - a. date, quantity (tonnage and number of trucks), source and type of the incoming Waste received at the Site;
  - b. incoming Dry Soil characterization information, if available;
  - c. Source Site/generator site characterization information;
  - d. date, quantity (tonnage and number of trucks) of the outgoing Dry Soil transferred from the Site and the destination;
  - e. date, quantity (tonnage and number of trucks) of the outgoing other solid Waste transferred

from the Site and the destination;

- f. Dry Soil sampling and characterization information;
- g. Residual Waste sampling and characterization information;
- h. details of blending, bulking or mixing activities at the Site;
- i. Waste processing activities at the Site;
- j. housekeeping activities, including dust mitigation measures.

#### **14.2 Emergency Situations**

- (1) The Owner shall maintain an on-Site written or digital record of the emergency situations. The record shall include, as a minimum, the following:
  - a. the type of an emergency situation;
  - b. description of how the emergency situation was handled;
  - c. the type and amount of material spilled, if applicable;
  - d. a description of how the material was cleaned up and stored, if generated; and
  - e. the location and time of final disposal, if applicable.

#### **14.3 Inspections**

- (1) The Owner shall maintain an on-Site written or digital record of inspections as required by this Approval. The record shall include, as a minimum, the following:
  - a. the name and signature of person that conducted the inspection;
  - b. the date and time of the inspection;
  - c. the list of any deficiencies discovered;
  - d. the recommendations for remedial action; and
  - e. the date, time and description of actions taken.

#### **14.4 Training**

- (1) The Owner shall maintain an on-Site written or digital record of training as required by this

Approval. The record shall include, as a minimum, the following:

- a. date of training;
- b. name and signature of person who has been trained; and
- c. description of the training provided.

#### **14.5 Sampling and Testing**

- (1) The Owner shall establish and maintain a written or digital record of all sampling and testing activities at the Site. This record shall include, as a minimum, the following information:
  - a. waste sampled, sample collection locations and volume collected;
  - b. day and time of collection;
  - c. sample handling procedures;
  - d. parameters tested for and the resulting concentrations;
  - e. name of the laboratory facility conducting the testing; and
  - f. conclusions drawn with respect to the results of the testing.

#### **14.6 Monitoring**

- (1) The Owner shall establish and maintain a written or digital record of all monitoring activities at the Site as required by this Approval.

#### **14.7 Complaints Management**

- (1) The Owner shall establish and maintain a written or digital record of complaints received and the responses made as required by this Approval.

#### **14.8 Rejected Waste Records**

- (1) The Owner shall establish and maintain a written or digital record of the Rejected Waste handling activities at the Site as required under this Approval. This record shall include, as a minimum, the following information:
  - a. the reason for rejection; and
  - b. the origin of the Rejected Waste, if known.

## 14.9 Annual Report

- (1) By October 31st following the end of each operating year, the Owner shall prepare and submit to the District Manager, an Annual Report, in an electronic format, summarizing the operation of the Site covering the previous calendar year. This Annual Report shall include, as a minimum, the following information:
  - a. annual amount and quality of the Waste, excluding Dry Soil, received at the Site by type;
  - b. annual amount and quality of the Dry Soil received at the Site from each type of Source Site/generator by the type of the Approved Property Uses;
  - c. annual amount and quality of Waste, excluding Dry Soil, transferred from the Site for re-use, further processing or Final Disposal, by the Waste type and the receiving site type;
  - d. annual amount and quality of Dry Soil transferred from the Site for re-use, further processing or Final Disposal, by the Dry Soil and the receiving site type;
  - e. a summary describing any Rejected Waste including quantity, type, reasons for rejection, its origin and its final destination(s);
  - f. annual amount of the Residual Waste transferred from the Site for Final Disposal and its destination(s);
  - g. amount of all Waste, temporarily stored at the Site at the end of the reporting year;
  - h. any environmental and operational problems, that could negatively impact the environment, encountered during the operation of the Site or identified during the Site inspections and any mitigative actions taken;
  - i. any changes to the Emergency Response and Contingency Plan, the Operations Manual or the Closure Plan that have been approved by the Director or the District Manager since the last Annual Report;
  - j. any recommendations to minimize environmental impacts from the operation of the Site and to improve Site operations and monitoring programs in this regard;
  - k. a summary of any complaints received and the responses made, as required by this Approval;
  - l. a descriptive summary of any spills, incidents or other emergency situations which have occurred at this Site, any remedial measures taken, and the measures taken to prevent future occurrences;
  - m. an annual summary of any deficiencies, items of non-compliance or process aberrations that occurred at this Site and any remedial/mitigative action taken to correct them; and

n. current amount of the Financial Assurance for the Site.

- (2) The Owner shall keep a copy of the latest Annual Report at the Site, at all times.
- (3) The Annual Report shall be available to the Ministry staff upon request at any time.
- (4) At any time, the District Manager may request additional information to be added to the Annual Report.

## **15.0 DISTRICT OFFICE NOTIFICATION**

### **15.1 Rejected Waste Notification**

- (1) The District Manager shall be notified in writing of the receipt of the Rejected Waste within four (4) business days of its receipt. The following information shall be included in the notification to the District Manager:
  - a. quantity and type of the Rejected Waste;
  - b. source of the Rejected Waste, if known;
  - c. reason for the rejection;
  - d. final destination of the Rejected Waste; and
  - e. date of receipt and time and date of removal from the Site.
- (2) When multiple loads of the Rejected Waste arrive at the Site per day, the notification from Condition 15.1(1) shall be for all loads from that given day.

## **16.0 SITE CLOSURE**

- (1) The Owner shall submit, for approval by the Director, a written Closure Plan for the Site at least nine (9) months prior to closure of the Site. This Closure Plan shall include, as a minimum, a description of the work that will be done to facilitate closure of the Site and a schedule for completion of that work.
- (2) Within ten (10) days after closure of the Site, the Owner shall notify the Director, in writing, that the Site is closed and that the Closure Plan has been implemented.

### **Schedule 1**

1. Application for an Environmental Compliance Approval application for dated February 20, 2025, signed by George Kirchmair, EVP, Strategic Development, YORK1 Field Recycling Ltd., including all supporting documentation and attachments.
2. Emails from Viktor kopetsky to the Ministry dated February 13, 2026, February 17, 2026 and April 14, April 20, 2026.
3. Email from George Kirchmair to the Ministry dated April 23, 2026.

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

Conditions 1.1, 1.6, 1.7, 1.8, 1.11 and 1.13 are included to clarify the legal rights and responsibilities of the Owner.

Condition 1.2 is included to ensure that the Site is build and operated in accordance with the application and Supporting Documentation submitted by the Owner, and not in a manner which the Director has not been asked to consider.

Conditions 1.3 and 1.5 are included that the Site development is carried out 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 and that as-built drawings are prepared to show the design of the Site in the various stages of development.

Condition 1.4 is included to limit and define the Operating Envelope approved under this Approval and to set out the circumstances in which the Owner must request approval of any construction, alteration, extension or replacement of any structure, equipment, apparatus, mechanism, thing, or alteration of a process rate at the Site outside of the approved Operating Envelope for the Site.

Condition 1.9(1) is included to ensure that the Site is operated under the corporate name which appears on the application form submitted for this approval and to ensure that the Director is informed of any changes. Condition 1.9(2) is included to restrict potential transfer or encumbrance of the Site without the approval of the Director and to ensure that any transfer of encumbrance can be made only on the basis that it will not endanger compliance with this Approval.

Condition 1.10 is included to ensure that the appropriate Ministry staff has ready access to the operations of the Site which are approved under this Approval. The Condition is supplementary to the powers of entry afforded a Provincial Officer pursuant to the EPA, the OWRA, the PA, the NMA and the SDWA.

Condition 1.12 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.

## **SIGNS and SITE SECURITY**

Condition 2.0 is included to ensure that the Site's users, operators and the public are fully aware of important information and restrictions related to the operation of the Site. Condition 2.0 is also included to ensure that the Site is sufficiently secured, supervised and operated by properly Trained Personnel and to ensure controlled access and integrity of the Site by preventing unauthorized access when the Site is closed and no Site personnel is on duty.

## **SERVICE AREA, APPROVED WASTE TYPES and RATES**

Condition 3.0 is included to specify the approved Waste receipt rates, the approved and prohibited Waste types and the service area from which the Waste may be accepted at the Site based on the Owner's application and supporting documentation.

## **SITE OPERATIONS**

Condition 4.1 is included to specify the hours of operation for the Site to ensure that the hours of Site's

operation do not result in an Adverse Effect or a hazard to the natural environment or any person.

Condition 4.2 is included to set out the waste management activities approved under this Approval.

Conditions 4.3 through 4.7 are included to ensure that only the approved Waste types are accepted and handled/processed at the Site.

Conditions 4.8 through 4.16 are included to ensure that waste storage and management, run-off management and the discharges of emissions to the atmosphere are undertaken in a way which does not result in an Adverse Effect or a hazard to the environment or any person and are 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 4.10 is also included to specify the approved Waste storage rates based on the Owner's application and the Supporting Documentation and set out the storage limitations and requirements to minimize the risk of Adverse Effects from the Waste storage and to identify the amounts of Waste approved to be present at the Site at any one time for the purpose of calculating the Financial Assurance requirements for the Site.

#### **EQUIPMENT and SITE INSPECTIONS and MAINTENANCE**

Condition 5.0 is included to require the equipment used for waste management and pollution control to be inspected and maintained thoroughly and on a regular basis to ensure that the operations at the Site are undertaken in a manner which does not result in an Adverse Effect or a hazard to the health and safety of the environment or any person.

#### **MONITORING**

Condition 6.1 is included to set out the monitoring requirements to monitor leachate level in the leachate AST as proposed in the Supporting Documentation.

Condition 6.2 is included to set out the monitoring requirements for Bioremediation to monitor the treatment conditions and progress of the treatment.

#### **CHARACTERIZATION at the SITE**

Condition 7.0 is included to set out the testing requirements when the Owner is required to carry out testing at the Site to characterize the incoming Dry Soil or the outgoing Dry Soil for their compatibility with the proposed off-Site destinations and uses.

#### **TESTED SOIL QUALITY CRITERIA, DISPOSAL and RE-USE REQUIREMENTS**

Condition 8.0 is included to ensure that all waste transferred from the Site are in compliance with the applicable Ministry's regulatory requirements and are transferred to appropriate final destinations and in a manner that protects the health and safety of the public and the environment.

#### **HOUSEKEEPING and NUISANCE/ ADVERSE EFFECT IMPACT CONTROL**

Condition 9.0 is included to ensure that the Site is operated and maintained in an environmentally

acceptable manner which does not result in a negative impact on the natural environment or any person.

### **COMPLAINTS MANAGEMENT**

Condition 10.0 is included to require the Owner to respond to any environmental complaints resulting from the operations at the Site appropriately and in a timely manner and that appropriate actions are taken to prevent any further incidents that may cause complaints in the future.

### **OPERATIONS MANUAL and PERSONNEL TRAINING**

Condition 11.0 is included to ensure that personnel employed at the Site are fully aware and properly trained on the requirements and restrictions related to Site operations under this Approval.

### **CONTINGENCY MEASURES and EMERGENCY SITUATION RESPONSE PLAN**

Condition 12.0 is included to ensure that the Owner is prepared and properly equipped to take action in the event of an emergency situation.

### **EMERGENCY SITUATIONS RESPONSE and REPORTING**

Condition 13.0 is included to require further spill notification to the Ministry, in addition to the requirements already listed in Part X of the EPA.

### **RECORDS KEEPING and RETENTION**

Condition 14.0 is included to ensure that detailed records of Site activities, inspections, monitoring and upsets are recorded and maintained for inspection and information purposes.

### **DISTRICT OFFICE NOTIFICATION**

Condition 15.1 is included to ensure that the District Manager is notified of the unacceptable waste type received at the Site.

Condition 15.2 is included to notify the District Manager of implementation of Phase 2 activities.

### **DISTRICT OFFICE NOTIFICATION**

Condition 15.1 is included to ensure that the District Manager is notified of the unacceptable waste type received at the Site.

Condition 15.2 is included to notify the District Manager of implementation of Phase 2 activities.

### **SITE CLOSURE**

Condition 16.0 is included to ensure that final closure of the Site is completed in accordance with Ministry's standards.

In accordance with Section 139 of the *Environmental Protection Act*, you may by written notice served upon me, the Ontario Land Tribunal and in accordance with Section 47 of the *Environmental Bill of Rights, 1993*, the Minister of the Environment, Conservation and Parks, within 15 days after receipt of this notice, require a hearing by the Tribunal. The Minister of the Environment, Conservation and Parks will place notice of your

appeal on the Environmental Registry. Section 142 of the *Environmental Protection Act* provides that the notice requiring the hearing ("the Notice") shall state:

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

The Notice should also include:

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

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

This Notice must be served upon:

Registrar\*  
Ontario Land Tribunal  
655 Bay Street, Suite 1500  
Toronto, Ontario  
M5G 1E5  
OLT.Registrar@ontario.ca

and

The Minister of the Environment,  
Conservation and Parks  
777 Bay Street, 5th Floor  
Toronto, Ontario  
M7A 2J3

and

The Director appointed for the purposes of  
Part II.1 of the *Environmental Protection Act*  
Ministry of the Environment,  
Conservation and Parks  
135 St. Clair Avenue West, 1st Floor  
Toronto, Ontario  
M4V 1P5

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

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

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

DATED AT TORONTO this 30th day of April, 2026



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

SF/  
c: District Manager, MECP Hamilton - District Office  
George Kirchmair P. Eng. and  
Viktor Kopetsky P. Eng., YORK1 Environmental Ltd.