

**AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER A770099  
Issue Date: June 1, 2026

William Day Construction Limited  
2500 Elm St  
Post Office Box, No. 1060  
Azilda, Ontario  
P0M 1N0

Site Location: 2500 Elm Street  
City of Greater Sudbury, District of Sudbury  
P0M 1N0

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

the use and operation of a waste disposal site (processing/transfer) for the processing and transfer of the following categories of waste: commercial and industrial solid non-hazardous waste limited to metal (ferrous and non-ferrous), batteries and tires.

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

1. "Approval" means this Environmental Compliance Approval and any Schedules attached to it;
2. "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;
3. "District Manager" means the District Manager of the local district office of the Ministry in which the Site is geographically located;
4. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c. E.19;
5. "Fire Code" means Ontario Regulation 213/07: Fire Code, as amended, made under the *Fire Protection and Prevention Act*, 1997, S.O. 1997, c.4;
6. "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;

7. "Ministry" means the Ministry of the Environment, Conservation and Parks;
8. "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;
9. "Owner" means William Day Construction Limited, including any successors and assignees, and has the same meaning set out in section 25 of the EPA, as applicable;
10. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40;
11. "PA" means the *Pesticides Act*, R.S.O. 1990, c. P.11;
12. "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 PA;
13. "Regulation 347" or "Reg. 347" means Revised Regulations of Ontario 1990, Regulation 347: (General - Waste Management), made under the EPA;
14. "Site" means the 2.67 hectare waste disposal site approved under this Approval, located at 2500 Elm St, Copper Cliff, Greater Sudbury City, District of Sudbury, P0M 1N0; and
15. "Trained Personnel" means an employee knowledgeable through instruction and/or practice in the following:
  - i. relevant air, noise, wastewater and waste management legislation, regulations and guidelines, including but not limited to the EPA and Reg. 347;
  - ii. environmental and occupational health and safety concerns pertaining to the wastes to be handled at the Site;
  - iii. the operation, inspection, and maintenance of the Site;
  - iv. records keeping procedures;
  - v. emergency procedures and contingency plans in case of fire, spills, off-site impacts and any other emergency situations detailed within the Emergency Response and Contingency Plan;
  - vi. specific written procedures for the control of Adverse Effects from the Site;
  - vii. specific written procedures for refusal of unacceptable incoming waste loads; and
  - viii. terms, conditions and operating requirements of this Approval, relevant to the specific job requirements of each individual employee.

*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 Compliance**

- 1.1 The Owner and Operator shall ensure compliance with all the conditions of this Approval, 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 take all reasonable measures to ensure any such person complies with the same.
- 1.2 Any person authorized to carry out work on or operate any aspect of the Site shall comply with the conditions of this Approval.
- 1.3 The Site shall be operated and maintained at all times, including management and disposal of all waste, in accordance with the EPA, Reg. 347 and the conditions of this Approval. At no time shall the discharge of a contaminant that causes or is likely to cause an Adverse Effect be permitted.

### **2.0 Design, Develop, Build, Operate, Modify and Maintain in Accordance**

- 2.1 Except as otherwise provided for in this Approval, the Site shall be designed, developed, built, operated, modified and maintained in accordance with the application for this Approval and the other supporting documentation listed in Schedule "A".

### **3.0 Interpretation**

- 3.1 Where there is a conflict between a provision of any document, including the application, referred to in this Approval, and the conditions of this Approval, the conditions in this Approval shall take precedence.
- 3.2 Where there is a conflict between the application and a provision in any documents listed in Schedule "A", the application shall take precedence, unless it is clear that the purpose of the document was to amend the application and that the Ministry approved the amendment.
- 3.3 Where there is a conflict between any two documents listed in Schedule "A", other than the application, the document bearing the most recent date shall take precedence.
- 3.4 The requirements of this Approval are severable. If any requirement of this Approval, or the application of any requirement of this Approval to any circumstance, is held invalid or unenforceable, the application of such requirement to other circumstances and the remainder of this Approval shall not be affected thereby.

#### **4.0 Other Legal Obligations**

4.1 The issuance of, and compliance with, this Approval does not:

1. relieve any person of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement including, but not limited to:
  - a. obtaining site plan approval from the local municipal authority;
  - b. obtaining all necessary building permits from the local municipal authority Building Services Division;
  - c. obtaining any necessary or applicable approvals from the Chief Fire Prevention Officer, local municipal authority; or
2. limit in any way the authority of the Ministry to require certain steps be taken or to require the Owner and Operator to furnish any further information related to compliance with this Approval.

#### **5.0 Adverse Effect**

5.1 The Owner and Operator shall take steps to minimize and ameliorate any Adverse Effect on the natural environment or impairment of water quality resulting from the Site, including such accelerated or additional monitoring as may be necessary to determine the nature and extent of the effect or impairment.

5.2 Despite an Owner, Operator or any other person fulfilling any obligations imposed by this Approval, the Owner, Operator or any other person remains responsible for any contravention of any other condition of this Approval or any applicable statute, regulation, or other legal requirement resulting from any act or omission that caused the Adverse Effect to the natural environment or impairment of water quality.

#### **6.0 Change of Owner**

6.1 The Owner shall notify the Director in writing, and forward a copy of the notification to the District Manager, within thirty (30) days of the occurrence of any changes:

1. the ownership of the Site;
2. the Operator of the Site;
3. the address of the Owner or Operator;
4. the partners, where the Owner is or at any time becomes a partnership and a copy of the most recent declaration filed under the Business Names Act, R.S.O. 1990, c. B-17 shall be included in the notification; and

5. the name of the corporation where the Owner is or at any time becomes a corporation, other than a municipal corporation, and a copy of the most current information filed under the Corporations Information Act, R.S.O. 1990, c. C-39 shall be included in the notification.
- 6.2 No portion of this Site shall be transferred or encumbered prior to or after closing of the Site unless the Director is notified in advance and sufficient financial assurance is deposited with the Ministry to ensure that these conditions will be carried out.
- 6.3 In the event of any change in ownership of the Site, the Owner shall notify, in writing, the succeeding owner of the existence of this Approval, and a copy of such notice shall be forwarded to the Director.

## **7.0 Financial Assurance**

- 7.1 Within twenty (20) days of issuance of this Approval, the Owner shall submit to the Director, Financial Assurance, as defined in Section 131 of the EPA, for the additional amount of \$87,481.00 for a total of \$184,947.00. This Financial Assurance shall be submitted in a form acceptable to the Director and shall provide sufficient funds for site clean-up, monitoring, and the analysis, transportation and disposal of all quantities of waste permitted to be on-site at any one time.
- 7.2 Commencing on November 1, 2030 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 7.1. The re-evaluation shall include an assessment based on any new information relating to the environmental conditions of the Site and shall include the costs of additional monitoring and/or implementation of contingency plans required by the Director upon review of the closure plan and annual reports. The Financial Assurance must be submitted to the Director within thirty (30) calendar days of written acceptance of the re-evaluation by the Director.
- 7.3 The amount of Financial Assurance is subject to review at any time by the Director and may be amended at their discretion.
- 7.4 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.

## **8.0 Inspections**

- 8.1 No person shall hinder or obstruct a Provincial Officer from carrying out any and all inspections authorized by the OWRA, the EPA, or the PA, of any place to which this Approval relates, and without limiting the foregoing:
  1. to enter upon the premises where the approved works are located, or the location where the records required by the conditions of this Approval are kept;
  2. to have access to, inspect, and copy any records required to be kept by the conditions of this

Approval;

3. to inspect the Site, related equipment and appurtenances;
4. to inspect the practices, procedures, or operations required by the conditions of this Approval; and
5. to sample and monitor for the purposes of assessing compliance with the terms and conditions of this Approval or the EPA, the OWRA or the PA.

## **9.0 Information and Record Retention**

- 9.1 Any information requested, by the Ministry, concerning the Site and its operation under this Approval, including but not limited to any records required to be kept by this Approval shall be provided to the Ministry, upon request, in a timely manner.
- 9.2 The receipt of any information by the Ministry or the failure of the Ministry to prosecute any person or to require any person to take any action, under this Approval or under any statute, regulation or other legal requirement, in relation to the information, shall not be construed as:
  1. 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
  2. acceptance by the Ministry of the information's completeness or accuracy.
- 9.3 All records required by the conditions of this Approval must be retained on Site for a minimum period of two (2) years from the date of their creation.
- 9.4 Any information relating to this Approval and contained in Ministry files may be made available to the public in accordance with the provisions of the Freedom of Information and Protection of Privacy Act, R.S.O. 1990, C. F-31.

## **10.0 Approved Waste Activities**

- 10.1 The Site is approved for the processing and transfer of the following categories of waste: commercial and industrial solid non-hazardous waste limited to metal (ferrous and non-ferrous), batteries and tires.

## **11.0 Approved Waste Quantities**

- 11.1 The maximum amount of wastes that may be accepted at this site shall not exceed 100 tonnes per day.
- 11.2 The maximum amount of battery and metal waste that may be stored at this site shall not exceed 350 tonnes.

- 11.3 The maximum amount of tires that may be stored at this site shall not exceed 24,000 cubic metres provided that the following requirements are satisfied:
1. is limited to a maximum of 80 unique tire storage piles identified in Figure 1 - Tire Storage Area of the Design and Operations Report included as Item #6 of Schedule "A";
  2. tire storage piles shall be no more than 3 metres in height and 100 square metres in area;
  3. storage piles shall be located at least 15 metres from property lines and buildings;
  4. adjacent storage piles shall be separated by a clear space of at least 6 metres to allow for fire access;
  5. storage piles shall be maintained free of combustible ground vegetation, including minimum separation distances of 4.5 metres from grass and weeds and 30 metres from brush and forested areas;
  6. fire access routes shall be maintained to be free of unprocessed and processed used tires at all times; and
  7. at no time are used tires permitted to be stored outside of the storage piles.
- 11.4 If, at any time, the quantity of tires on Site exceeds 90% of the maximum quantity that can be stored as stated in Condition 11.3 the Owner shall immediately notify the District Manager and provide weekly updates until such time the quantity is reduced to below 90%.

## **12.0 Waste Storage and Management**

- 12.1 The Owner shall ensure that all waste is stored and transferred in a manner that does not result in a nuisance or an Adverse Effect.
- 12.2 All waste at the Site shall be managed in accordance with the EPA and Reg. 347.
- 12.3 The Owner shall ensure that all wastes transported to and from the Site are in accordance with the EPA and Reg. 347.
- 12.4 The Owner shall ensure that, where applicable, no waste is received, transferred or processed at the Site unless all air emissions are discharged in accordance with section 9 of the EPA and all wastewater is discharged in accordance with the OWRA and any applicable municipal by-laws.
- 12.5 Under no circumstances shall burning or incineration of any material be allowed at this Site.
- 12.6 The Site shall at all times be maintained and operated in accordance with the provisions of the Fire Code, as they may be amended from time to time.
- 12.7 If for any reason the Owner cannot comply with both the Fire Code and this Approval, due to

incompatible requirements, the Owner shall notify the District Manager in writing of the reasons why the requirements cannot be met.

- 12.8 If an Official of the local Fire Department or the Fire Marshall's Office authorizes a procedure, practice or plan not set out in detail in the Fire Code or issues an order, the Owner shall provide a copy of the procedure, practice, plan or order to the District Office forthwith.
- 12.9 The Owner shall ensure that either the fire pond or the on-site 50,000 litre water tank are available for fire suppression at all times and that the related equipment are properly maintained and remain operational year-round.

### **13.0 Signage and Security**

13.1 Prior to receiving any waste at the Site, the Owner shall install a sign at the main entrance/exit of the Site on which the following information shall be legibly displayed:

1. name of the Owner;
2. this Approval number;
3. hours during which the Site is open;
4. waste types that are approved to be accepted at the Site;
5. Owner's telephone number to which complaints may be directed;
6. Ministry's telephone number to which complaints may be directed;
7. a warning against unauthorized access; and
8. a warning against dumping at the Site.

13.2 The Site shall be operated and maintained in a secure manner, such that unauthorized persons cannot enter the site. During non-operating hours, the Site gates shall be locked and secured against access by unauthorized persons.

### **14.0 Nuisance Control**

14.1 The Owner shall operate and maintain the Site such that the dust, odours, vectors, vermin, litter, vibration, noise and traffic do not create a nuisance.

14.2 If at any time problems such as odours, dust, litter, noise, vectors, vermin, rodents or other nuisances are generated at the Site, the Owner shall take appropriate, immediate remedial action to eliminate the problem. Appropriate measures may include the removal of waste from the Site and temporary stoppage of all operations until the problem has been rectified and measures have been undertaken to prevent future occurrence.

## **15.0 Training**

15.1 The Owner shall ensure that a training plan specific to the Site to ensure that all employees that operate the Site or carry out any activity required under this Approval are trained in its operation. Only Trained Personnel shall operate any aspect of the Site or carry out any activity required under this Approval.

## **16.0 Spills**

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

16.2 The Owner shall maintain an on-Site written or digital record of spills and upsets. The record shall include, as a minimum, the following:

1. the type of emergency situation;
2. description of how the emergency situation was handled;
3. the type and amount of material spilled, if applicable;
4. a description of how the material was cleaned up and stored, if generated; and
5. the location and time of final disposal, if applicable.

## **17.0 Site Inspections**

17.1 Trained Personnel shall carry out daily inspections of the equipment and facilities at the Site to ensure these are maintained in good working conditions at all times.

17.2 Any deficiencies discovered as a result of an inspection carried out under Condition 17.1 shall be remedied immediately, with corrective measures including temporarily ceasing operations at the Site and/or removing all waste from the Site as necessary.

## **18.0 Complaints**

18.1 If at any time the Owner receives complaints regarding the operation of the Site, the Owner shall record the details of each complaint, either electronically or in a log book.

18.2 The Owner 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 within one (1) week of the complaint date.

18.3 The Owner shall provide the District Manager with a report written within one (1) week of the complaint date, listing the actions taken regarding the complaint and any recommendations for remedial measures, and managerial or operational changes to reasonably avoid the recurrence of similar incidents.

## **19.0 Record-keeping and Reporting**

19.1 The Owner shall maintain an on-site written or digital record of daily activities undertaken at the Site.

19.2 The Owner shall maintain an on-Site written or digital record of inspections as required by this Approval.

19.3 The Owner shall maintain an on-Site written or digital record of training as required by this Approval.

19.4 By March 31st following the end of each operating year, the Owner shall prepare and maintain on-site an Annual Report summarizing the operation of the Site covering the previous calendar year. This Annual Report shall include, as a minimum, the following information:

1. a detailed monthly summary of all wastes processed and transferred;
2. a site plan with all active storage areas identified;
3. any environmental and operational problems, that could negatively impact the environment, encountered during the operation of the Site or during Site inspections and any mitigative actions taken;
4. any recommendations to minimize environmental impacts from the operation of the Site and to improve Site operation and monitoring programs in this regard;
5. a summary of any complaints received and the responses made;
6. a summary of all inspections and maintenance carried out at the Site;
7. a written statement that the Site was in compliance with the Approval; and
8. any other information the District Manager requires from time to time.

## **20.0 Closure**

20.1 The Owner shall submit, for approval by the Director, a written Closure Plan four (4) months prior to the permanent closure of the Site. This plan must include, at a minimum, a description of the work that will be done to facilitate closure of the Site and a schedule for completion of that work.

20.2 Within ten (10) days after closure of the Site, the Owner must notify the Director and District Manager, in writing, that the Site is closed and that the Closure Plan has been implemented.

## SCHEDULE "A"

This Schedule "A" forms part of this Environmental Compliance Approval:

1. Application for a Certificate of Approval for a Waste Disposal Site (Processing), dated May 9, 1997 and signed by Lori Whyte, and the supporting information listed in item 12 of the Application.
2. Environmental Compliance Approval application, dated December 1, 2015, signed by Mr. Denis Blais.
3. Design & Operations Plan, William Day Transfer Site, prepared for William Day Construction Ltd., prepared by Pinchin Ltd., dated February 5, 2016.
4. Email from T. Gordon, Pinchin Ltd., to MOECC, dated March 14, 2016, providing additional information on and clarification of the Design & Operations Plan.
5. Email from Marshall Lundy, William Day Construction Limited to the Ministry, dated November 5, 2025 regarding change in site address.
6. Application to amend Environmental Compliance Approval A770099, dated February 12, 2026 and signed by Everett Day, Vice President/Owner, and the included supporting documentation.

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

1. The reason for Conditions 1.0, 3.0, 4.0, 5.0 and 9.0 is to clarify the legal rights and responsibilities of the Owner and the Operator.
2. The reason for Condition 2.0 is to ensure that the Site is operated in accordance with the application and supporting documentation submitted by the Owner, and not in a manner which the Director has not been asked to consider.
3. The reasons for Condition 6.0 are 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, and 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.
4. The reason for Condition 7.0 is 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.
5. The reason for Condition 8.0 is to ensure that appropriate Ministry staff have ready access to the Site for inspection of facilities, equipment, practices and operations required by the conditions in this Approval. This condition is supplementary to the powers of entry afforded a Provincial Officer pursuant to the EPA, OWRA and PA.
6. The reasons for Conditions 10.0, 11.0 and 12.0 are to specify the types of waste that may be received at the Site, the maximum amount of waste that may be received and stored at the Site, the manner in which waste may be stored at the Site and the waste activities that may be carried out at the Site.

7. The reason for Condition 13.0 is to ensure that users of the Site are fully aware of important information and restrictions related to Site operations, access and emergency response under this Approval, and to ensure the controlled access and integrity of the Site by preventing unauthorized access when the Site is closed and no site attendant is on duty.
8. The reasons for Conditions 14.0 and 17.0 are to ensure that the Site is not the cause of any nuisance impacts and to ensure that the Site is inspected on a regular basis to maintain this status.
9. The reason for Condition 15.0 is to ensure that the Site is operated by properly trained staff so that the operation of the Site does not result in a hazard or nuisance to people or the environment.
10. The reason for Condition 16.0 is to ensure that all spills and upsets are properly addressed in a timely manner.
11. The reason for Condition 18.0 is to ensure that all complaints received are recorded and addressed in a timely manner.
12. The reason for Condition 19.0 is to provide for the proper assessment of effectiveness and efficiency of site design and operation, their effect or relationship to any nuisance or environmental impacts, and the occurrence of any public complaints or concerns. Record keeping is necessary to determine compliance with this Approval, the EPA and its regulations.
13. The reason for Condition 20.0 is to ensure that the Site is closed in accordance with Ministry standards in a manner that protects the health and safety of the public and the environment.

**Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). A770099 issued on November 12, 2025**

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

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

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

The Notice should also include:

1. The name of the appellant;
2. The address of the appellant;
3. The environmental compliance approval number;
4. The date of the environmental compliance approval;
5. The name of the Director, and;

6. The municipality or municipalities within which the project is to be engaged in.

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

This Notice must be served upon:

Registrar\*  
Ontario Land Tribunal  
655 Bay Street, Suite 1500  
Toronto, Ontario  
M5G 1E5  
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 1st day of June, 2026



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

CF/

c: District Manager, MECP Sudbury  
Tyler Kotanko, William Day Construction Limited