Ontario

Ministry of the Environment, Conservation and Parks
Ministère de l'Environnement, de la Protection de la nature et des Parcs

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL
NUMBER A272702
Issue Date: November 7, 2026

The Corporation of the Municipality of Kincardine
1475 Concession 5
Rural Route, No. 5
Kincardine, Ontario
N2Z 2X6

Site Location: 437 Sideroad 15 North
R.R. # 5
Lot 15, Concession 5
Kincardine Municipality, County of Bruce
N2Z 2X6

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 5.5 hectare landfilling site, a Materials Recovery Centre, and Hazard and Special Products Depot within a total site area of 40.5 hectares.

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

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

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

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

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

"Ministry" and "MECP" 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;

“Operator” has the same meaning as “operator” as defined in s.25 of the EPA;

“Owner” means the Corporation of the Municipality of Kincardine and its successors and assigns;

“PA” means the Pesticides Act, R.S.O. 1990, c. P-11, as amended;

"Provincial Officer" means any person designated in writing by the Minister as a provincial officer pursuant to section 5 of the OWRA or section 5 of the EPA or section 17 of PA.

"Refrigerant Appliances" means household appliances which use, or may use refrigerants, and which include, but is not restricted to, refrigerators, freezers and air-conditioning systems.

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

"Regulation 232" or "Reg. 232" means Ontario Regulation 232/98 made under the EPA, as amended;

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

"Site" means the entire waste disposal site, including the buffer lands, Material Recovery Centre, and Hazardous and Special Products Depot, located at 437 Sideroad 15, R.R.5, comprised of Part Lot 15, Concession 5, Municipality of Kincardine, Bruce County, approved by this Approval.

"SVCA" means Saugeen Valley Conservation Authority

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

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

TERMS AND CONDITIONS

1. GENERAL

1.1 This Approval revokes all previously issued Provisional Certificates of Approval issued under Part V of the EPA for this Site. The approval given herein including the terms and conditions set out replaces all previously issued approvals and related terms and conditions under Part V of the EPA for this Site.

1.2. The Site shall be developed, operated and maintained in accordance with all of the plans and specifications in the documents listed in Schedule "A". Should there be discrepancies between the documents listed in Schedule "A" and the conditions in this Approval, the conditions shall take precedence. Should there be discrepancies between the documents listed in Schedule "A", the document bearing the most recent date shall take precedence.

1.3 Requirements specified in this Approval are minimum requirements and do not abrogate the need to take all reasonable steps to avoid violating the provisions of other applicable legislation. The Owner shall ensure compliance with all the terms and conditions of this Approval. Any non-compliance constitutes a violation of the EPA and is grounds for enforcement.

1.4 The requirements of this Approval are severable. If any requirements of this Approval to any circumstances is held invalid, the application of such requirement to other circumstances and the remainder of this Approval shall not be affected thereby.

1.5 The Owner shall ensure that all communications/correspondence made pursuant to this Approval includes reference to this Approval number.

Compliance

1.6 The Owner shall ensure that any person authorized to carry out work on or operate any aspect of the Site is notified of the Approval and the conditions herein and shall take all reasonable measures to ensure the person complies with the same.

1.7 Any person authorized to carry out work on or operate any aspect of the Site shall comply with the conditions of this Approval.

Other Legal Obligations

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

a. relieve any person of any obligation to comply with any provision of the EPA or any other 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 request that any further information related to compliance with this Approval be provided to the Ministry;

unless a provision of this Approval specifically refers to the other requirement or authority and clearly states that the other requirement or authority is to be replaced or limited by this Approval.

Adverse Effect

1.9 The Owner and Operator shall take all reasonable steps to minimize and ameliorate any adverse effect or impairment of water quality resulting from the operation of the Site, including such accelerated or additional monitoring as may be necessary to determine the nature of the effect or impairment.

1.10 The Owner or Operator shall remain 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.

Notification of changes

1.11 The Owner shall notify the Director in writing of any of the following changes within thirty (30) days of the change occurring:

a. change of Owner or Operator of the Site or both;
b. change of address or address of the new Owner;
c. change of partners where the Owner or Operator is or at any time becomes a partnership, and a copy of the most recent declaration filed under the Business Names Act, 1991 shall be included in the notification to the Director;
d. any change of name of the corporation where the Owner or Operator is or at any time becomes a corporation, and a copy of the most current "Initial Notice or Notice of Change" (Form 1 or 2 of O. Reg. 182, Chapter C-39, R.R.O. 1990 as amended from time to time), filed under the Corporations Information Act shall be included in the notification to the Director; and
e. change in directors or officers of the corporation where the Owner or Operator is or at any time becomes a corporation, and a copy of the most current "Initial Notice or Notice of Change" as referred to in 1.11(d).

1.12 In the event of any changes 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 written notice shall be forwarded to the Director and the District Manager.

No Transfer or Encumbrance

1.13 No portion of this Site shall be transferred or encumbered prior to or after closing of the Site unless the Director is notified in advance and is satisfied with the arrangements made to ensure that all conditions of this Approval will be carried out. If the transfer is to be to a private corporation, sufficient financial assurance must be deposited with the Ministry to ensure that these conditions will be carried out.

Inspections

1.14 The Owner shall allow Ministry personnel, or a Ministry authorized representative(s), upon presentation of credentials, to:

a. carry out any and all inspections authorized by the EPA, the Ontario Water Resources Act, R.S.O. 1990, or the Pesticides Act, R.S.O. 1990, as amended from time to time, of any place to which this Approval relates, and

b. without restricting the generality of the foregoing to:

i. enter upon the premises or the location where the records required by the conditions of this Approval are kept;
ii. have access to and copy, at any reasonable time, any records required by the conditions of this Approval;

iii. inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations required by the conditions of this Approval, and
iv. sample and monitor, at reasonable times, for the purposes of assuring compliance with the conditions of this Approval.

Release of Information

1.15 The Owner shall, forthwith upon request of the Director, District Manager, or Provincial Officer (as defined in the EPA):

a. furnish any information requested by such persons with respect to compliance with the Approval, including but not limited to, any records required to be kept under this Approval; and

b. in the event, the Owner provides the Ministry with information, records, documentation or notification in accordance with this Approval (for the purposes of this Condition referred to as "Information"),

i. the receipt of Information by the Ministry;
ii. the acceptance by the Ministry of the Information's completeness or accuracy; or
iii. the failure of the Ministry to prosecute the Owner, or to require the Owner to take any action, under this Approval or any statute or regulation in relation to the Information shall not be construed as an approval, excuse or justification be the Ministry of any act omission of the Owner relating to the Information, amounting to non-compliance with this Approval or any statute or regulation.

1.16 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.

Certificate of Requirement/Registration on Title - Site

1.17 If not already completed, the Owner shall:

(a) Within sixty (60) days of the date of the issuance of this Approval, submit to the Director for review, two copies of a completed Certificate of Requirement with a registerable description of the Site; and

(b) Within 10 calendar days of receiving the Certificate of Requirement authorized by the Director, register the Certificate of Requirement in the appropriate Land Registry Office on title to the Site and submit to the Director the duplicate registered copy immediately following registration.

1.18 Pursuant to Section 197 of the Environmental Protection Act, neither the Owner nor any person having an interest in the Site shall deal with the Site in any way without first giving a copy of this Approval to each person acquiring an interest in the Site as a result of the dealing.

2. LANDFILL DESIGN AND DEVELOPMENT

Base and Sidewall Construction

2.1 The Owner shall ensure that all Phase 2 landfill sidewalls are constructed using clayey soils, placed and compacted with a minimum thickness of 2 metres.

2.2 The Owner shall ensure that for all areas within the Phase 2 landfill base, where sandy soils are observed to be present, these soils shall be excavated to full depth and replaced with clayey soils.

2.3 The Owner shall ensure that the Quality Assurance Quality Control plan for the landfill cell construction, as described in Appendix H of Item 11 of Schedule "A" is implemented.

Approved Waste Types

2.4 Only solid non-hazardous municipal waste as defined under Reg. 347 shall be accepted at the Site for landfilling.

2.5 No liquid industrial waste or hazardous wastes as defined under Reg. 347 shall be received at the Site.

2.6 The Owner shall ensure that all loads of waste are properly inspected by trained site personnel prior to acceptance at the Site and that the waste vehicles are directed to the appropriate areas for disposal or transfer of the waste. The Owner shall notify the District Manager, in writing, of load rejections at the Site within one (1) business day from their occurrence.

Capacity

2.7 The maximum amount of waste, daily cover and intermediate cover excluding final cover placed within the 5.5 hectare foot print shall not exceed 755,152 cubic metres.

Service Area

2.8 Only waste that is generated within the boundaries of the Municipality of Kincardine shall be accepted at the Site.

3. SITE OPERATION

Operation

3.1 The Site shall be operated and maintained at all time including management and disposal of all waste in accordance with the EPA, Regulation 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.

Signs

3.2 A sign shall be installed and maintained at the main entrance/exit to the Site on which is legibly displayed the following information:

(a) the name of the Site and Owner;
(b) the number of the Approval;
(c) the name of the Operator;
(d) the normal hours of operation;
(e) the allowable and prohibited waste types;
(f) the telephone number to which complaints may be directed;
(g) a warning against unauthorized access;
(h) a twenty-four (24) hour emergency telephone number (if different from above); and
(i) a warning against dumping outside the Site.

3.3 The Owner shall install and maintain signs to direct vehicles to the Materials Recovery Centre (recycling areas), and the bale wrap storage area.

3.4 The Owner shall provide signs at Materials Recovery Centre, informing users what materials are acceptable and directing users to appropriate storage area.

Vermin, Vectors, Dust, Litter, Odour, Noise and Traffic

3.5 The Site shall be operated and maintained such that the vermin, vectors, dust, litter, odour, noise and traffic do not create a nuisance.

Burning Waste Prohibited

3.6 The Owner shall ensure that:

(a) No burning of waste takes place at the Site.

(b) Burning of wood products approved to take place at the Site, is done in accordance with the procedure described in the Ministry Guideline "Burning at Landfill Sites" and in a supervised and controlled manner.

(c) Burning of wood products at the Site, as described in Condition 3.6(b) shall be discontinued once wood chipping equipment is installed and is operational, or 12 months after the date of this Approval.

Cover

3.7 Cover material shall be applied as follows:

(a) Daily Cover - Weather permitting, deposited waste shall be covered daily with a minimum of 0.15 metres of cover soil in a manner acceptable to the District Manager so that no waste is exposed to the atmosphere;

(b) Intermediate Cover - In areas where landfilling has been temporarily discontinued for six (6)

months or more, a minimum thickness of 0.3 metres of soil cover or an approved thickness of alternative cover material shall be placed; and

(c) Final Cover - In areas where landfilling has been completed to final contours, a minimum 1.0 metre thick layer of low permeability native soil and 0.15 metres of top soil (final cover) shall be placed. Fill areas shall be progressively completed and rehabilitated as landfill development reaches final contours.

3.8 Alternative materials to soil may be used as daily and interim cover material, based on an application with supporting information and applicable fee for a trial use or permanent use, submitted by the Owner to the Director, copied to the District Manager and as approved by the Director via an amendment to this Approval. The alternative material shall be non-hazardous according to Reg. 347 and will be expected to perform at least as well as soil in relation to the following functions:

(a) Control of blowing litter, odours, dust, landfill gas, gulls, vectors, vermin and fires;

(b) Provision for an aesthetic condition of the landfill during the active life of the Site;

(c) Provision for vehicle access to the active tipping face; and

(d) Compatibility with the design of the Site for groundwater protection, leachate management and landfill gas management.

Waste Placement

3.9 Waste shall be deposited in a manner that minimizes the exposure area at the landfill working face and shall be compacted before cover material is applied according to the procedures described in Item 10 of Schedule “A” attached to this Approval.

3.10 Disposal of waste shall only occur within the areas as delineated on Drawing C-06, entitled "Landfill Sequencing" dated December 2009, included as Item 10 of Schedule “A” attached to this Approval.

3.11 No waste shall be placed above the final contours shown on Drawing C-04, entitled "Top of Waste Contour Plan" dated December 2009, included as Item 10 on Schedule “A” attached to this Approval.

Site Access

3.12 Waste shall only be accepted at the Site:

(a) from 8:00 am to 4:30 pm Monday to Friday, inclusive, and

(b) from 8:00 am to 2:00 pm on Saturday

(c) The Owner may provide alternative hours of operation providing that they are correctly posted at the Site gate, that suitable public notice is given of any change and that there are no objections or complaints from the public regarding the hours of operation.

3.13 On-site equipment used for daily site preparation and closing activities may be operated one (1) hour

before and one (1) hour after the hours of operation approved by this Approval.

3.14 With the prior written approval from the District Manager, the time periods may be extended to accommodate seasonal or unusual quantities of waste.

Site Security

3.15 No waste shall be received, landfilled or removed from the Site unless a site supervisor or attendant is present and supervises the operations during operating hours. The Site shall be closed when a site attendant is not present to supervise landfilling operations.

3.16 The Owner may allow contractors to access the Site outside of working hours for specific circumstances such as maintenance, clean-ups, emergency work, etc.

3.17 The Site shall be operated and maintained in a safe and secure manner. During non-operating hours, the Site entrance and exit gates shall be locked and the Site shall be secured against access by unauthorized persons.

3.18 The Owner may allow the Site entrance at the bale wrap storage area to remain open for public access. This area shall be regularly inspected, as per Condition 5.1 c.

4. WASTE DIVERSION

4.1 The Owner is authorized to operate a Materials Recovery Centre and a Hazardous and Special Products Depot, in accordance with Item 10 and Item 17 of Schedule "A" respectively.

4.2 The Materials Recovery Centre and Hazardous and Special Products Depot shall not operate unless a Site attendant or designated person is present to supervise the operation.

Materials Recovery Centre

4.3 The Owner shall ensure that:

(a) all bins and waste storage areas are clearly labelled;

(b) all lids or doors on bins shall be kept closed during non-operating hours and during high wind events;

(c) if necessary to prevent litter, waste storage areas shall be covered during the high winds events;

(d) no putrescible waste shall be included as part of the waste diversion program;

(e) the maximum amount of cardboard and blue box recyclables that may be stored on site at any one time shall not exceed ten (10) storage bins, thirty cubic metres in size;

(f) the maximum volume of shingles, brush, lumber, concrete, yard waste (combined) that is stored within the Materials Recovery Centre area at any one time shall not exceed 3,000 cubic metres;

(g) The Materials Recovery Centre shall not contain more than 1000 tires at any time.

4.4 The Owner shall provide a segregated area for the storage of Refrigerant Appliances so that the following are ensured:

(a) all Refrigerant Appliances have been tagged to indicate that the refrigerant has been removed by a licensed technician. The tag number shall be recorded in the log book and shall remain affixed to the appliance until transferred from the Site; or

(b) all Refrigerant Appliances accepted at the Site, which have not been tagged by a licensed technician to verify that the equipment no longer contains refrigerants, are stored segregated, in a clearly marked area, in an upright position and in a manner which allows for the safe handling and transfer from the Site for removal of refrigerants as required by Ontario Regulation 463/10: Ozone Depleting Substances and Other Halocarbons, as amended.; and

(c) all Refrigerant Appliances received on-site shall either have the refrigerant removed prior to being transferred from the Site or shall be shipped off-site only to facilities where the refrigerants can be removed by a licensed technician in accordance with Ontario Regulation 463/10: Ozone Depleting Substances and Other Halocarbons, as amended..

4.5 The Owner shall provide a segregated area for the storage of waste electrical and electronic equipment;

(a) All waste electrical and electronic equipment shall be stored in covered storage containers;

(b) No waste electrical and electronic equipment shall be disassembled, either manually or mechanically at the Site.

4.6 The Owner shall transfer waste and recyclable materials from the Site as follows:

(a) recyclable materials shall be transferred off-site once their storage containers are full;

(b) scrap metal and waste electrical and electronic equipment shall be transferred off-site at least twice a year;

(c) tires shall be transferred off-site as soon as a load for the contractor hired by the Owner has accumulated or as soon as the accumulated volume exceeds the storage capacity of its bunker; and

(d) immediately, in the event that waste is creating an odour or vector problem.

4.7 (a) The Owner shall ensure that all incoming and outgoing wastes are screened and inspected by trained personnel to ensure that wastes are being managed and disposed of in accordance with the EPA and O.Reg. 347.

(b) The Owner shall ensure that all outgoing wastes are shipped only to locations approved by the Ministry to receive such waste.

(c) The District Manager shall be notified for any planned inclusion of materials other than rubber

tires, scrap metal, wood and brush, shingles, drywall, concrete materials, leaf and yard waste, bale wrap, waste electrical and electronic equipment, and refrigerant appliances into the waste diversion program.

(d) The District Manager shall be notified if the planned bale wrap recycling program is not included in the Site operations. The notification will include: reasons why the program is to be stopped, measures for proper disposal of any bale wrap material currently stored at the Site, and plans for the existing or proposed bale wrap storage area.

Hazardous and Special Products Depot

4.8 The Site can receive Hazardous and Special Products as defined in Categories A, B, C, D, and E of Ontario Regulation 449/21: Hazardous and Special Products, as amended.

4.9 All Hazardous and Special Products waste shall be stored in a segregated storage container with only the waste types permitted in Condition 4.8.

4.10 The types and quantities of Hazardous and Special Products wastes that can be stored in the segregated storage container is limited to: a maximum of eight (8) 205-litre drums or 2 standard UN Gaylord boxes.

(a) Paints/coatings: eight 205-L drums or two UN Gaylord boxes;

(b) Oil filters: 250 kg;

(c) Non-refillable pressurized containers (including aerosols): 400 kg;

(d) Refillable pressurized containers: 200 kg;

(e) Antifreeze: 400 kg;

(f) Solvents: 1,500 kg;

(g) Pesticides: 400 kg;

(h) Mercury-containing devices: 100 kg;

(i) Fertilizers: 200 kg; and

(j) Refillable propane containers: 400 kg;

4.11 The Owner shall ensure that all waste storage drums and containers areas are clearly labelled.

4.12 Prior to being accepted at the Hazardous and Special Products Depot, all incoming waste shall be inspected by a trained person and shall only be received if the Hazardous and Special Products Depot is approved to accept that type of waste.

4.13 In the event that unacceptable waste is received at the Hazardous and Special Products Depot, the Owner shall:

(a) refuse receipt of the unacceptable waste and return the waste to the generator if safe to do so; or

(b) if return of the waste is not feasible, the Owner shall isolate the unacceptable waste and remove it from the Hazardous and Special Products Depot within seventy-two (72) hours, in accordance with Regulation 347; and

(c) the Owner shall review the incident and take appropriate steps to prevent future receipt of unacceptable waste.

4.14 The Owner shall ensure that all Hazardous and Special Products waste stored at the Site are transported and disposed by firms which are licensed for such processing, transport or disposal by the Ministry in accordance with the EPA and Regulation 347.

4.15 The Owner shall ensure that Hazardous and Special Products waste is removed from the Site at a minimum frequency of once every six (6) months, more frequently as necessary to maintain adequate storage capacity, or transferred off-site once the storage containers are full.

4.16 Intact waste batteries, as defined in Regulation 347, are not permitted to be stored with the Hazardous and Special Products wastes.

4.17 The Owner shall ensure that lithium, dry cell, and rechargeable batteries:

(a) are packed using UN-rated containers employing safe storage techniques including:
  (i) thermal management techniques;
  (ii) according to Transportation of Dangerous Goods Regulations; and

(b) adequate fire retardants or fire extinguishers are on-site in the event of a fire.

4.18 Propane cylinders shall be stored in a segregated area in a manner which prevents cylinders from being knocked over or cylinder valves from breaking.

5. INSPECTIONS

5.1 The Owner shall ensure that weekly Site inspections are undertaken by trained Site personnel and shall include, but not be limited to the following assessments:

a. condition of the active disposal areas
b. condition of the Materials Recovery Centre;
c. condition of the bale wrap facility;
d. condition of the surface water drainage works;
e. presence of any ponded water at the Site;
f. condition of the on-site roads for evidence of excessive erosion and fugitive dust emissions;

g. presence of litter at the Site's perimeter and litter fences;
h. condition of the intermediate cover and of the final cover;
i. presence of vector, vermin and animals;
j. condition of the on-site facilities, the gate and its lock and the signs required by this Approval;
k. amount of the cover material to ensure that sufficient daily cover is available at all times that the Site is in operation; and
l. presence of leachate springs.

5.2 The Owner shall ensure that the groundwater monitoring wells required for the groundwater monitoring program are inspected at least twice per year (spring and fall).

6. EMPLOYEE TRAINING

6.1 All Operators of the Site shall be trained in the following areas:

a. terms, conditions and operating requirements of this Approval;
b. operation and management of the landfill, the Materials Recovery Centre and the other waste storage areas as described in the documents in Schedule "A" attached to this Approval unless otherwise required by the conditions of this Approval;
c. outline of the responsibilities of the operators of the Site;
d. any environmental concerns pertaining to wastes being handled at the Site;
e. proper inspection, receiving and recording procedures and the activities to be undertaken during and after a load rejection;
f. occupational health and safety concerns pertaining to the wastes to be handled at the Site;
g. relevant environmental legislation and regulations, including but not limited to the EPA and O. Reg. 347;
h. specific written procedures for the control of nuisance conditions; and
i. operation of equipment and procedures to be followed in the event of an emergency situation as described in the Emergency Response Manual required by this Approval.

7. RECORD KEEPING AND REPORTING

7.1 The Owner shall maintain an updated Design and Operations plan for the Site. The updated plan shall include all revisions that occurred during the review and approvals process, including updated Site layout, design drawings, and as-constructed drawings.

7.2 The Owner shall establish and maintain a written record of the Site inspections as required by this Approval. This record shall be in the form of a log or a dedicated electronic file and it shall include, as a minimum, the following information:

a. date and time of inspection;
b. name, title and signature of trained personnel conducting the inspection;

c. a list of all the areas inspected and any deficiencies observed; and
d. recommendations for remedial action and the completion date of such action.

7.3 The Owner shall:
a. retain all documentation listed in Schedule "A" for as long as this Approval is valid;
b. retain all records required by this Approval, for the contaminating life span of the Site except for as otherwise authorized in writing by the Director;
c. retain the employee training records for as long as the employee is working at the Site; and,
d. make all of the above documents and records available for inspection upon request by the staff of the Ministry.

8. COMPLAINTS RESPONSE PROCEDURE

8.1 The Owner shall record the name and address of complaint, and the date, time and nature of complaint and the actions taken to address the cause of the complaint, in a log book or a computer file.

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

a. The Owner shall record and number each complaint, either electronically or in a log book, and shall include the following information: the nature of the complaint, the name, address and the telephone number of the complainant if the complainant will provide this information 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 complete and retain on-site a report written within one (1) week of the complaint date, listing the actions taken to resolve the complaint and any recommendations for remedial measures, and managerial or operational changes to reasonably avoid the recurrence of similar incidents.

8.3 The Owner shall designate a person to receive any complaints and to respond with a written notice of action as soon as possible. The Owner shall post the complaints procedure at the Site entrance. All complaints and the Owner's actions taken to remedy the complaints shall be summarized in the Annual Report.

8.4 The Owner shall notify the District Manager within two (2) working days of receipt of a complaint.

9. LANDFILL MONITORING

Groundwater

9.1 Groundwater monitoring wells at the Site shall be monitored twice annually (spring and fall), for the parameters as listed in Table C.1 of Appendix C-Revised Monitoring Program (Item 11 of Schedule

"A").

9.2 Hydraulic monitoring (static water level measurement) shall be completed twice annually (spring and fall) at the monitoring wells as listed in Table C.1 of Appendix C-Revised Monitoring Program (Item 11 of Schedule "A").

9.3 The groundwater monitoring program shall include an assessment of the functioning of the groundwater interceptor trench. New monitoring wells (a minimum of two) shall be installed if existing monitoring wells are not suitable for this purpose.

9.4 A certified Professional Geoscientist or Engineer possessing appropriate hydrogeologic training and experience shall execute or directly supervise the execution of the groundwater monitoring and reporting program.

Surface Water

9.5 Surface water monitoring shall be conducted in accordance with the OWRA Section 53 Approval for the Site.

Leachate

9.6 During the first 2 years of operation of the leachate collection system, the Owner shall ensure that leachate sampling is conducted annually (during the spring) for the comprehensive list as per Table C.2 of Appendix C-Revised Monitoring Program (Item 11 of Schedule "A").

9.7 Commencing in the third year of operation, the Owner shall ensure that leachate sampling is conducted annually, during the spring, for the indicator parameters as listed in Table C.2 of Appendix C-Revised Monitoring Program (Item 11 of Schedule "A").

Slope Stability

9.8 The Owner shall ensure that slope inclinometers and survey pins are established, as described in Item 14 of Schedule "A", and that quarterly slope inspections are carried out along the river slopes of the North Penetangore River, for the first year of Site operation.

a. The Owner shall ensure that slope inspections are subsequently carried out semi-annually for the next five years of Site operation;

b. The areas located north and west of the landfill, including areas A, B and C as described in Item 13 of Schedule "A" shall be included in the inspection;

c. These inspections shall be conducted or supervised by a qualified geotechnical engineer, experienced in slope assessments, and shall be carried out in the Spring season;

d. The assessment shall include both slope stability and toe erosion. An annual report shall be produced as described in Condition 7.3;

e. After five years of Site operation, the scope and frequency of the inspections shall be reviewed by the qualified geotechnical engineer. Any change to the inspection frequency shall require the approval of the District Manager.

10. TRIGGER LEVELS

10.1 The groundwater trigger levels and contingency plan shall be implemented as described in response 1c) in the report entitled "Response to Agency Comments", Item 11 of Schedule "A", and summarized as follows:

10.2 Tier I monitoring, consisting of regular semi-annual groundwater monitoring as described in Condition 9 shall be conducted by the Owner.

10.3 Within one year of the date of issue of this Approval, the Owner shall provide the proposed additional trigger monitoring well installations and proposed trigger levels to the District Manager.

10.4 In the event of a confirmed exceedance of two or more trigger parameter concentrations at any single trigger location, the Tier II confirmation monitoring program will be implemented by the Owner.

10.5 In the event that one or both of the Tier II confirmation samples confirms the original exceedance, the Owner shall immediately notify the District Manager, and shall commence the evaluation of the degree, nature, and potential source(s) of trigger level impact, as described in Section 3 of the report entitled "Response to Agency Comments", Item 11 of Schedule "A" .

11. CHANGES TO MONITORING PROGRAM

11.1 The Owner must obtain written concurrence from the District Manager, or approval from the Director for any change to the Site monitoring programs.

12. ANNUAL OPERATIONS REPORT

12.1 The Owner shall prepare and submit an Annual Report to the Regional Director by April 30 of the year following the calendar year covered by the report which shall include at a minimum, the following:

a. calculations of the volume of waste landfilled, the daily and intermediate covers, the final cover and the overall volume of the Site capacity used during the reporting period;
b. a comparison of the actual capacity used to the estimates of the capacity;
c. an estimate of the remaining Site life;
d. a summary of the weekly, maximum daily and total annual quantity (tonnes) of waste received at the Site;
e. a summary of quantities of all recyclables received, stored and transferred from the Material Recovery Centre;
f. any changes in operations, equipment, or procedures used at the Site, any operating problems encountered and corrective actions taken;
g. details of the monitoring program undertaken, outlining monitor locations, analytical parameters sampled, and frequency of sampling;
h. an analysis and interpretation of the surface water and groundwater monitoring data, a review of the adequacy of the monitoring program, conclusions of the monitoring data, and recommendations for

any changes that may be necessary;

i. the quantity of leachate removed (daily and annually) from the Site;
j. summary of inspections undertaken at the Site;
k. a summary of the findings and any recommendations from geotechnical slope stability assessments;
l. an assessment of the functioning of the groundwater interceptor trench;
m. an assessment on whether a landfill gas monitoring program should be initiated;
n. summary of any public complaints received and the responses made;
o. a discussion of cover stockpile activities including use, timing, locations and erosion protection;
p. status update on the final cover placement, and seeding activities undertaken in the closed sections of the landfill;
q. a statement as to compliance with all conditions of this Approval and the other relevant Ministry groundwater and surface water requirements;
r. recommendations respecting any proposed changes in the operation of the Site;
s. a report on the status of all monitoring wells and a statement as to compliance with Ontario Regulation 903; and,
t. any other information that the Regional Director or the District Manager may require.

13. SITE REVEGETATION PLAN

13.1 The Owner shall ensure that if there are any changes to the site re-vegetation plan notification is provided to the SVCA, and copied to the District Manager.

14. EMERGENCY RESPONSE

14.1 Any spills, fires or other emergency situations shall be forthwith reported directly to the Ministry Spills Action Centre (1-800-268-6060) and the District Manager and shall be cleaned up immediately.

14.2 In addition, the Owner shall submit to the District Manager, a written report within three (3) days of any spill or incident, outlining the nature of the incident, remedial measures taken and the measures taken to prevent future occurrences at the Site.

14.3 The Owner shall ensure that adequate fire fighting and contingency spill clean-up equipment is available and that the emergency response personnel are familiar with the use of such equipment and its location(s).

14.4 The Owner shall review the Emergency Response Manual for the Site on an annual basis. Any updates that are required shall be done in consultation with local emergency response agencies. The Emergency Response Manual should indicate the responsibility of each of the stakeholders with respect to handling possible emergency situations.

14.5 The Emergency Response Manual shall be updated on a regular basis and be provided to the District Manager within one month of the revision date.

15. SITE CLOSURE

15.1 At least two (2) years prior to the anticipated date of closure of the landfill at this Site or the date when 90 per cent of the total waste disposal volume is reached, whichever occurs first, the Owner shall submit to the Director for approval, with a copy to the District Manager, a detailed Site Closure Plan pertaining to the termination of the landfilling operations at the Site, post-closure inspection, maintenance and monitoring and the end use. The plan shall include, but not be limited to the following:

a. a plan showing Site appearance after closure;

b. a description of the proposed end use for the Site;

c. descriptions of the procedures for closure of the Site, including but not be limited to, the following:

   i. advance notification of the public of the Site closure;

   ii. posting a sign at the Site entrance indicating the landfill is closed and identifying any alternative waste disposal arrangements;

   iii. completion, inspection and maintenance of the final cover and landscaping;

   iv. Site security after closure;

   v. removal of unnecessary landfill-related structures, buildings and facilities; and

   vi. final construction of any necessary control, treatment, disposal and monitoring facilities for groundwater, surface water and landfill gas.

d. description of the procedures for post-closure care of the Site, including:

   i. operation, inspection and maintenance of the control, treatment, disposal and monitoring facilities for leachate, groundwater, surface water and landfill gas, if applicable;

   ii. record keeping and reporting; and

   iii. complaint contact and response procedures.

e. an assessment of the adequacy of and need to implement the contingency plans; and

f. an estimate of the contaminating life span of the Site, based on the results of the monitoring programs to-date.

Schedule "A"

1. Memorandum dated March 31, 1999 from Jeff Markel, Hydrogeologist, Technical Support to Phil Bye, Supervisor, Own Sound Area Office, MOE, RE: Township of Kincardine Waste Disposal Site, C. of A. no. A272702, Waste Disposal Site Township of Kincardine
2. Letter dated May 18, 1999 from Larry Struthers, Owen Sound Area Office, MOE to John deRosenroll, Administrator, Thowship of Kincardine-Bruce-Tiverton regarding Mr. Markel's comments and necessary modifications to the Plan of Development and Operation - Phase I and II, Waste Disposal Site, former Township of Kincardine
3. Letter dated June 15, 1999 from Brad R. Pryde, P.Eng., vice-president, Stantec Consulting Ltd to Mr. Larry Struthers, Owen Sound District, MOE requesting from MOE for elimination of the existing service area boundaries for the three landfill sites which are now located within the amalgamated Municipality of the Township of Kincardine-Bruce-Tiverton.
4. Letter dated July 16, 1999 from Larry Struthers, Owen Sound Area Office, MOE to Stantec Consulting Ltd. regarding service boundaries for the three landfill sites within the Township of Kincardine-Bruce-Tiverton.
5. Revised Plan of Development and Operation - Phase I and II, Waste Disposal Site, Township of Kincardine, prepared for Township of Kincardine-Bruce-Tiverton by Stantec Consulting Ltd., dated December, 1998, revised October, 1999.
6. Application dated January 27, 2000 and signed by John deRosenroll, Chief Administration Officer, Municipality of Kincardine.
7. Letter dated February 11, 2000 from Brad R. Pryde, P.Eng. Branch Manager, Stantec Consulting Ltd. to Approvals Branch, MOE, requesting and amendment to the current Certificate of Approval No. A272702 to incorporate the report "Revised Plan of Development and Operation - Phase I and II".
8. Application for Amendment to a Provisional Certificate of Approval for a Waste Disposal Site, dated November 27, 2009 and signed by Jim O'Rourke, Public Works Manager, The Corporation of the Municipality of Kincardine, with supporting documentation.
9. Report entitled "Hydrogeologic Characterization and Design Assessment Report, Kincardine Waste Management Centre", prepared by Conestoga-Rovers & Associates, dated December 2009.
10. Report entitled "Design and Operations Plan, Kincardine Waste Management Centre, Certificate of Approval No. A272702, Kincardine, Ontario" prepared by Conestoga-Rovers & Associates, dated December 2009.
11. Report entitled " Response to Agency Comments Related to: Application to Amend EPA Part V Certificate of Approval A272702, Application for Certificate of Approval Section 53, OWRA, Application for SVCA Permission Under O.Reg. 169/06, Kincardine Waste Management Centre, Sideroad 15N, Municipality of Kincardine", prepared by Conestoga-Rovers & Associates, dated September 2010.
12. Letter dated March 10, 2010 from Candace Bross, Saugeen Valley Conservation Authority, to Greg Ferraro, Conestoga-Rovers & Associates, and copied to Ministry of the Environment.
13. Letter dated December 2, 2010 from Candace Hamm, Saugeen Valley Conservation Authority, to Jim Yardley, Conestoga-Rovers & Associates, and copied to Ministry of the Environment

14. e-mail dated December 23, 2010, 11:27 a.m. from Jim Yardley, Conestoga-Rovers & Associates, to Lynda Mulcahy, Ministry of Environment, Subject: RE Draft Responses for Kincardine, with attachments, 4074-Draft Responses-SVCA.pdf, and 4074-Draft Responses-MOE.pdf
15. Letter dated May 11, 2011, from James Yardley, Conestoga-Rovers & Associates, to Lynda Mulcahy, Ministry of Environment, Re: Update - Alteration to Site Entrance Components, Kincardine Waste Management Centre, Municipality of Kincardine, Ontario, MOE Reference No. 4338-7Z7SDQ
16. e-mail dated May 18, 2011, 3:00pm, from Jim Yardley, Conestoga-Rovers & Associates, to Lynda Mulcahy, Ministry of Environment, Subject: RE: Kincardine WDS ~COR-004074~
17. Environmental Compliance Approval application dated June 24, 2026 signed by Mark O'Leary, Manager of Environmental Services, including supporting information.

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

General, Compliance, Other Legal Obligations, Adverse Effect
The reason for Conditions 1.1 through 1.10 inclusive is to clarify the legal rights and responsibilities of the Owner under this Approval.
Notification of Changes
The reasons for Conditions 1.11 and 1.12 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.
No Transfer or Encumbrance
The reasons for Condition 1.13 are 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.
Inspections
The reason for Condition 1.14 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 and OWRA.
Release of Information
Conditions 1.15 and 1.16 are included to ensure that the appropriate Ministry staff have ready access to information and the operations of the Site, which are approved under this Approval.
Certificate of Requirement/Registration on Title -Site
Conditions 1.17 and 1.18 are included, pursuant to subsection 197(1) of the EPA, to provide that any persons having an interest in the Site are aware that the land has been approved and used for the purposes of waste disposal.
2. Landfill Design and Development
Base and Sidewall Construction
The reason for Conditions 2.1 to 2.3 are to ensure the updated design and the QA/QC procedures are implemented.
Approved Waste Types
The reason for Conditions 2.4 to 2.6 is to clarify what wastes may be accepted at the Site.
Capacity

The reason for Condition 2.7 is to clarify what is the updated capacity for the Site.

Service Area

The reason for Condition 2.8 is to clarify what is the service area within which wastes may be disposed of at the Site

3. Site Operation

Operation

The reason for Condition 3.1 is to ensure that key applicable legislation is complied with.

Signs

The reason for Conditions 3.2 to 3.4 is to ensure that key information is provided to the public regarding the Site.

Vermin, Vectors, Dust, Litter, Odour Noise, Traffic, Burning of Waste Prohibited

The reasons for Conditions 3.5 and 3.6 are to ensure that a nuisance is not caused by Site operations, and that burning of wood products is done safely and is discontinued within 12 months of issue of this Approval.

Cover

The reasons for Conditions 3.5 to 3.8 are to ensure that nuisance from the placing of wastes is prevented, and that wastes are placed in accordance with the manner approved by the Director.

Site Access, Site Security, Employee Training

The reason for Conditions 3.12 to 3.18, and 6.1 is to ensure that the Site is operated in a secure manner.

4. Waste Diversion

The reasons for Conditions 4.1 to 4.18 is to ensure that the MRC and HSP are operated in a safe manner, to prevent adverse effects or nuisance, and that the District Manager is informed of any new materials to be managed at the Centre, or minor changes to the diversion program.

5. Inspections

The reasons for Conditions 5.1 and 5.2 is to ensure specific areas of the Site are checked on a regular basis, including the monitoring well network.

7. Record Keeping and Reporting

The reason for Condition 7.1 is to ensure that updated information and as-constructed records are provided to the Ministry.

The reason for Conditions 7.3 and 7.4 is to ensure that records are kept and available for review by Ministry staff, to ensure conditions of this Approval and applicable legislation are complied with.

8. Complaints Response Procedure

The reason for Conditions 8.1 to 8.4 is to ensure that public concerns or complaints regarding the Site are responded to promptly, and any needed improvements or changes to operations are implemented to prevent recurrence.

9. Landfill Monitoring

Groundwater, Surface Water, Leachate, Slope Stability

The reasons for Conditions 9.1 to 9.8 is to ensure that required monitoring and sampling of the Site is conducted, to prevent an adverse effect to the natural environment, and to monitor changes to the Site over time.

10. Trigger Levels

The reasons for Conditions 10.1 to 10.5 are to ensure that appropriate trigger levels, trigger monitoring wells and contingency plans are established and followed, for protection of the environment, and to ensure that the Ministry is informed of any impacts.

11.Changes to Monitoring Program

The reason for Condition 11.1 is to ensure that any changes to the monitoring program have Ministry review and approval.

12. Annual Operations Report

The reason for Condition 12.1 is to ensure that a record of site activities, capacity used, monitoring and inspection results are provided annually to the Ministry for review.

13. Site Revegetation Plan

The reason for Condition 13.1 is to ensure that a site revegetation plan is developed and submitted to SVCA and copied to the Ministry, this approach was agreed upon to offset vegetative loss for site development.

14. Emergency Response

The reason for Conditions 14.1 to 14.5 are to ensure that emergency planning is done, that adequate equipment is available, and procedures are documented and available to site staff and the Ministry for review.

15. Site Closure

The reason for Condition 15.1 is to ensure that planning for the site closure and post-closure care is conducted, with a record sent to the Ministry

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). A272702 issued on June 1, 2011

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*

The Minister of the Environment,

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

Ontario Land Tribunal 655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5 OLT.Registrar@ontario.ca	and	Conservation and Parks 777 Bay Street, 5th Floor Toronto, Ontario M7A 2J3	and	Ministry of the Environment, Conservation and Parks 40 St. Clair Avenue West, 2nd Floor Toronto, Ontario M4V 1M2

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

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

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

DATED AT TORONTO this 7th day of November, 2026

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

CF/

c: District Manager, MECP Owen Sound
Matthew Nelson, GEI Consultants Canada Ltd.