


 AMENDED PROVISIONAL CERTIFICATE OF APPROVAL
 WASTE DISPOSAL SITE
 NUMBER A341906
 Issue Date: August 10, 2010

Buckham Transport Limited
 Post Office Box, No. 601
 Peterborough, Ontario
 K9J 6Z8

Site Location: Buckham Transport Limited
 15 3rd Line, Lot 1, Concession 2, former South Monaghan Township
 Otonabee-South Monaghan Township, County of Peterborough
 K0L 1B0

You have applied in accordance with Section 27 of the Environmental Protection Act for approval of:

a 2.5 hectare Waste Disposal Site to be used for the transfer and processing of the following types of waste:

Non-hazardous solid waste, liquid industrial waste and hazardous waste limited to waste classes 111 to 114 inclusive, 121, 122, 123, 131 to 135 inclusive, 141 to 148 inclusive, 149, 150, 211, 212, 213, 221, 222, 231, 232, 233, 241, 242, 251 to 254 inclusive, 261 to 270 inclusive, 281, 282, 311, 312, and 331 as described in the Ministry of the Environment's "New Ontario Waste Classes" document dated January 1986 or as amended.

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

For the purpose of this Certificate of Approval and the terms and conditions specified below, the following definitions apply:

Definitions

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

(b) "**bulking**", "**bulked**" and "**bulk**" means:

- a) the mixing of *hazardous waste* of the same physical state and *waste number* into a single container in a secure and safe manner; or
- b) the mixing of a non-hazardous solid waste with the same type of *non-hazardous solid waste* into a single container in a secure and safe manner; or
- c) the mixing of non-hazardous *liquid waste* with another non-hazardous *liquid waste* that has the same *waste class* into a single container in a secure and safe manner;

(c) "**blending**", "**blended**" and "**blend**" means:

- a) the mixing of *non-hazardous solid waste* with another compatible *non-hazardous solid waste*; or
- b) the mixing on non-hazardous *liquid waste* with another compatible non-hazardous *liquid waste* that may have a different *waste class*; or
- c) The *blending* of two hazardous waste that may have different *waste classes* but have the same *LDR* treatment method;

(d) "**Certificate**" means this Provisional Certificate of Approval;

(e) "**characteristic waste**" means a *hazardous waste* that is corrosive waste, ignitable waste, leachate toxic waste or *reactive waste*;

(f) "**Company**" or "**Owner**" means Buckham Transport Limited;

(g) "**Competent Person**" or "**Competent People**" means a person or people who has/have the following features:

A. *has/have training and knowledge of the following:*

- i. relevant waste management legislation, regulations and guidelines;
- ii. major environmental concerns pertaining to the waste to be handled;
- iii. contents of the *Facility's* Design and Operating Report;
- iv. the terms, conditions and operating requirements of the *Certificate*;
- v. the applicable Fire Code and how it applies to proper storage and handling of waste that may be reactive, oxidizing, explosive or flammable;
- vi. record keeping procedures as outlined in Conditions 65 to 68 inclusive of this *Certificate*;
- vii. occupational health and safety concerns pertaining to the wastes to be processed;
- viii. specific written procedures for the control of nuisance conditions; and
- ix. specific written procedures for refusal of unacceptable waste loads; and

B. *through their knowledge, training and experience can carry out any necessary duties in the following, through instruction and practice:*

- i. use and operation of any equipment to be used at the *Site*;
- ii. operation and management of the Waste Disposal *Site*, in accordance with the specific job requirements of each individual operator, including concern for environmental protection and health and safety standards for the operator of the Waste Disposal *Site*, identification of unacceptable wastes, procedures for refusing the processing of unacceptable wastes, proper handling of waste, proper procedures for the storage of waste and proper maintenance of the *Site*; and
- iii. process monitoring procedures; and

C. *has/have the following training requirements:*

i. has been provided the necessary training by the *Owner* to become a *Competent Person* before starting at the *Site* as an operator;

- ii. has been provided training and provided an annual training update of the company's environmental emergency plan that are outlined in Conditions 69 and 70 of this *Certificate*; and
- iii. has been provided refresher training on the components of a *Competent Person* at least annually;

(h) "**Competent Supervisor**" means a person who is:

i) a *Competent Person*;

ii) qualified because of knowledge, training and experience to organize the work at the *Site* and its performance;

iii) informed by the *Owner* that their duty to protect the health, safety and natural environment of the community whenever the health and safety of the community and its natural environment may be adversely effected by their work at the *Site* outweighs their duty to the *Owner*; and

iv) aware because of instruction by the *Owner*, of the provisions contained in Section 174 of the *Act* regarding prohibition of unjust reprisals;

(i) "**Director**" means Director, Environmental Assessment and Approvals Branch, Ontario Ministry of Environment;

(j) "**District Office**" means the Peterborough District Office, Eastern Region of the *Ministry*;

(k) "**District Manager**" means the District Manager of the Peterborough District Office, Eastern Region of the *Ministry*;

(l) "**Emergency response personnel**" includes personnel from the local Fire Department, Police Department, Ministry of

CONTENT COPY OF ORIGINAL

Environment, the local Municipality, and any other organization which is sent to the *Site* to respond to an emergency *Incident* acting on behalf of a governmental organization or the *Company*;

(m) "**Guideline**" means the Ministry of Environment Guidelines for Environmental Protection Measures at Chemical and Waste Storage Facilities, dated May 2007 or its latest amendment;

(n) "**Guidance Manual**" means the latest version of the *MOE* Registration Guidance Manual for Generators of Liquid Industrial and Hazardous Waste;

(o) "**Incident**" means an abnormal event which causes a spill, emission, emergency situation or other occurrence which may have an adverse effect on the environment, cause a nuisance or endanger public health and safety;

(p) "**hazardous waste**" means the definition that is outlined in *O.Reg. 347*;

(q) "**handbook**" means the latest version of the *MOE* Land Disposal Restrictions (*LDR*) Handbook;

(r) "**lab packs**" or "**lab pack**" means the waste management industry's recognized method of temporarily storing and transporting inventoried miscellaneous organic and inorganic wastes in a drum or tote;

(s) "**LDR**" and "**Lands Disposal Restrictions**" refers to sections 74 through 85 of *Ontario Regulation 347*, which prohibit the disposal of *Listed Waste* and *characteristic waste* on land until they have been treated to meet the treatment standards under *Ontario Regulation 347*;

(t) "**liquid waste**" means waste that has a slump of more than 150 millimetres using the Test Method for Determination of Liquid Waste referenced in *Ontario Regulation 347 (slump test)*;

(u) "**Listed Waste**" means a waste included in Schedule 1, Schedule 2 Part A, Schedule 2 Part B or Schedule 3 of *Ontario Regulation 347*;

(v) "**Municipal Hazardous and Special Waste**" or "**MHSW**" means wastes that were collected at a Municipal Hazardous and Special Waste collection depot which originated from households which are hazardous and/or special waste and which are limited to the following:

- solvents such as thinners for paint, lacquer and contact cement, paint strippers and degreasers, and their containers
- oil filters
- paints and coatings and their containers
- oil containers of 30 litres or less for a wide range of oil products such as engine and marine oils, and hydraulic, power steering and transmission fluids
- single use, dry cell batteries, e.g., non-rechargeable batteries that can be easily removed and replaced by the consumer
- automotive antifreeze (engine coolant) and related containers
- pressurized containers such as propane tanks and cylinders
- fertilizers and their containers
- pesticides, fungicides, herbicides, insecticides and their containers
- sharps including syringes and
- fluorescent light bulbs and tubes, limited to no more than 5 kilograms per month;

(w) "**Ministry**" and "**MOE**" means the Ontario Ministry of the Environment;

(x) "**non-hazardous solid waste**" means a waste that is solid and non-hazardous and includes *recyclable waste* but is not liquid industrial waste and is not a *hazardous waste*;

(y) "**Ontario Regulation 347**" and **O. Reg. 347**, means Ontario Regulation 347 - R.R.O. 1990, General - Waste Management, as amended from time to time, made under the *Act*;

CONTENT COPY OF ORIGINAL

- (z) "**Ontario Regulation 362**" means Ontario Regulation 362 - R.R.O. 1990, Waste Management - PCBs, or as amended, made under the *Act*;
- (aa) "**PCB**" and "**PCBs**" means any monochlorinated or polychlorinated biphenyl or any mixture of them or mixture that contains one or more of them;
- (bb) "**Pesticide**" means the definition that is given in the Pesticides Act;
- (cc) "**Provincial Officer**" means the definition that is provided in the *Act*;
- (dd) "**reactive waste**" means the definition that is in *Ontario Regulation 347*;
- (ee) "**recyclable waste**" means solid non-hazardous waste that can be sorted for recycling;
- (ff) "**Severely Toxic Waste**" means the definition that is provided in *Ontario Regulation 347*;
- (gg) "**Site**" and "**Facility**" means the property and operation being approved under this *Certificate* located at Part of Lot 1, Concession 2, Township of Otonabee-South Monaghan Ward, County of Peterborough and shown in the Site diagram in Item 18 of Schedule "A";
- (hh) "**slump test**" means the test method that is outlined in Schedule 9 of *Ontario Regulation 347*;
- (ii) "**solidification**" means the mixing of fly ash, clay adsorbents, crushed firebrick, sawdust or other binding agent that the *District Manager* has been informed about, in order to transform a semi solid non-hazardous waste into a solid non-hazardous waste as determined by a *slump test*;
- (jj) "**Subject Waste**" means the definition that is in *O. Reg. 347*;
- (kk) "**TCLP procedure**" means the definition for Toxicity Characterising Leaching Procedure that is defined in Regulation 347 of the *Act*;
- (ll) "**Waste Analysis Plan**" means the plan that is required to identify or verify the chemical and physical characteristics of a waste and verifying land disposal treatment requirements, by performing a detailed chemical and physical analysis of a representative sample of the waste or, in certain cases, by applying acceptable knowledge of the waste;
- (mm) "**waste class**" means the classification system for waste that is used in *O. Reg. 347*. For example waste class 121 would be for alkaline solutions, sludges and residues containing heavy metals; and
- (nn) "**waste number**" is a combination of the *O. Reg. 347 waste class* and waste characterization to identify a waste. For example the waste number for an alkaline solution could be a combination of the *waste class* 121 and the waste characterization "C" for Corrosive, to yield a waste number, 121C.

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

TERMS AND CONDITIONS

General

1. This *Certificate* revokes all previously issued Provisional Certificates of Approval issued under Part V of the *Act* 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 *Act* for this *Site*.
2. Except as otherwise provided by these conditions, the *Site* shall be designed, developed, used, maintained and operated, and all facilities, equipment and fixtures shall be built and installed, in accordance documents listed in the attached Schedule "A" and the terms and conditions of this Provisional *Certificate* of Approval.
3. The requirements specified in this *Certificate* are requirements under the *Act*. Issuance of this *Certificate* in no way

CONTENT COPY OF ORIGINAL

abrogates the *Company's* legal obligations to take all reasonable steps to avoid violating other applicable provisions of this legislation and other legislation and regulations.

4. The requirements of this *Certificate* are severable. If any requirements of this *Certificate*, or the application of any requirement of this *Certificate* to any circumstance, is held invalid, the application of such requirement to other circumstances and the remainder of this *Certificate* shall not be affected in any way.

5. The *Company* must ensure compliance with all terms and conditions of this *Certificate*. Any non-compliance constitutes a violation of the *Act* and is grounds for enforcement.

6. (a) The *Company* shall, forthwith upon request of the *Director*, *District Manager*, or *Provincial Officer*, furnish any information requested by such persons with respect to compliance with this *Certificate*, including but not limited to, any records required to be kept under this *Certificate*; and

(b) In the event the *Company* provides the *Ministry* with information, records, documentation or notification in accordance with this *Certificate* (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 *Company*, or to require the *Company* to take any action, under this *Certificate* or any statute or regulation in relation to the Information;

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

7. The *Company* shall allow *Ministry* personnel, or a *Ministry* authorized representative(s), upon presentation of credentials, to;

(a) carry out any and all inspections authorized by Section 156, 157 or 158 of the *Act*, Section 15, 16 or 17 of the **Ontario Water Resources Act**, R.S.O. 1990, or Section 19 or 20 of the **Pesticides Act**, R.S.O. 1990, as amended from time to time, of any place to which this Provisional *Certificate* of Approval relates; and

(b) without restricting the generality of the foregoing, to:

(i) enter upon the premises where records required by the conditions of this *Certificate* are kept;

(ii) have access to and copy, at reasonable times, any records required by the conditions of this *Certificate*;

(iii) inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations required by the conditions of this *Certificate*; and

(iv) sample and monitor at reasonable times for the purposes of assuring compliance with the conditions of this *Certificate*.

8. Where there is a conflict between a provision of any document referred to in Schedule "A", and the conditions of this *Certificate*, the conditions in this *Certificate* shall take precedence. Where there is a conflict between the documents listed in Schedule "A", the document bearing the most recent date shall prevail.

9. Any information relating to this *Certificate* 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. All records and monitoring data required by the conditions of this *Certificate* must be kept on the *Company's* premises for a minimum period of two (2) years from the date of their creation unless otherwise specified in this *Certificate*.

Notification

11. The *Owner* shall ensure that all communications/correspondence made pursuant to this Provisional Certificate of Approval reference this *Certificate*.
12. The *Owner* shall notify the Director and *District Manager* in writing of any of the following changes, within thirty (30) days of the change occurring:
- (a) change of Company or name of Company;
 - (b) change of address or address of new Company;
 - (c) change of partners where the Company 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*; and
 - (d) any change of name of the corporation where the Company 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. Regulation 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*.
13. 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 Provisional *Certificate* of Approval, and a copy of such notice shall be forwarded to the *Director* and *District Manager*.

General Site Operations

14. The following is the list of waste that the *Site* is allowed to receive: non-hazardous solid waste, liquid industrial waste and *hazardous waste* limited to *waste classes* 111 to 114 inclusive, 121, 122, 123, 131 to 135 inclusive, 141 to 148 inclusive, 149, 150, 211, 212, 213, 221, 222, 231, 232, 233, 241, 242, 251 to 254 inclusive, 261 to 270 inclusive, 281, 282, 311, 312, and 331 as described in the Ministry of the Environment's "New Ontario Waste Classes" document dated January 1986 or as amended.
15. The *Company* shall receive no more than 200 cubic metres of wastes per day at the *Site*.
16. The *Company* shall ensure that the total amount of waste leaving the *Site* and directed for direct or indirect disposal, does not exceed 200 cubic metres on any one day.
17. a) The storage of waste at the *Site* shall not exceed the following amount
- (i) 400 cubic metres of Liquid Industrial and *hazardous wastes*;
 - (ii) 200 cubic metres of Solid *hazardous wastes*;
 - (iii) 400 cubic metres of Solid Non-Hazardous Wastes;
 - (iv) 1.8 cubic metres of *PCB* Waste until November 30, 2010; and
 - (v) After November 30, 2010, the *Site* shall not store any *PCBs*;
- b) The amount of waste stored at the *Site* shall be reported weekly to the *District Manager* in electronic format; and
- c) Any exceedance of the waste storage quantities shall be immediately reported to the *Ministry's District Office*.
18. The *Site* shall not receive *Severely Toxic Waste*.
19. The allowed receipt and storage at the *Site* of *waste class* 312 (Pathological Waste) shall be limited to sharps and syringes only.
20. Waste may be only received at the *Site* between 07:00 hours and 20:00 hours, if allowed by local municipal zoning restrictions, from Monday to Saturday. Off-loading vehicles already received, loading materials onto outbound vehicles, sampling, conducting indoor transfer operations, performing inventory, parking of in-transit vehicles and vehicles not related to the operation of the *Site* may be performed 24-hours a day.
21. The *Site* may receive waste that has been generated within Canada, the United States, all Caribbean countries and all

CONTENT COPY OF ORIGINAL

countries that are signatories to the Basel Convention on the Control of Transboundary Movements of *hazardous waste* and their Disposal.

22. (a) The *Site* shall be operated and maintained by a *Competent Supervisor* in an environmentally safe manner which ensures the health and safety of all persons including that of the surrounding community and minimizes visual impacts, dust, odours, pests, litter and noise; and

(b) If at any time, problems such as dust, odours, pests, litter, noise or other nuisances are generated at the *Site*, the *Company* shall take appropriate remedial action immediately. Appropriate measures may include temporary ceasing of all operations until the problem is rectified and measures have been undertaken to prevent future occurrence.

23. The *Company* shall ensure that all vehicles leaving the *Site*, including any backhoe used to mix waste at the *Site*, do not drag off waste, dirt and/or other material from the *Site* that may become a contaminant or nuisance.

24.0 The following shall apply regarding waste at the *Site*:

24.1 (a) The *Company* may *bulk hazardous waste* or *non-hazardous waste* at the *Site* as long as the *bulking* is in accordance with the definition of "*bulking*";

(b) The *Company* may *blend* a non-hazardous solid waste or non-hazardous *liquid waste* at the *Site* as long as the *blending* is in accordance with the definition of "*blending*" ;

(c) *Waste numbers* 251L, 252L and 253L may be *blended* to create *waste number* 254L;

(d) *Listed Waste* of the same *waste number* may be *bulked* but shall remain a *Listed Waste*;

(e) If a *Listed Waste* is mixed, *bulked* or *blended* with any other waste, the resulting mixture shall be all classified as a *Listed Waste*;

(f) The *waste number* of a *hazardous waste*, shall not be changed by the *Owner* once received at the *Site* with the following exceptions:

i. wastes received in *lab pack* form and the contents of the smaller containers are *bulked* into larger containers of similar waste characteristics for the sole purposes of transporting waste for final disposal. All other *bulking*, transferring and waste management activities are not permitted to de-list waste with the H, A, B, or S *hazardous waste* characterization suffix;

ii. *Hazardous wastes* of different *waste classes* may be *blended* together if they have the same *LDR* treatment requirements;

iii. In the event that *hazardous waste* of different *waste classes* were *blended* together in accordance with Condition 24 (f) ii, then the *waste class* of the resulting *blended* waste shall be that of the more dominant *waste class*;

(g) Notwithstanding Condition 24.1 (e) and 24.1 (f), if a *Listed Waste* is *blended* with any other waste, the hazardous component of the more stringent treatment requirement shall apply;

(h) As required by Conditions 66 (c) and 71 (l) of this *Certificate*, the *Owner* shall keep a detailed record of any *hazardous waste* that is received at the *Site* and leaves the *Site* either with a different *waste number* or as a non-hazardous waste;

(i) If the *bulking*, *blending* or mixing of a *hazardous waste* results in treatment of the waste in accordance to Sections 75, 76, 77, 78 79, 82 and 83 of Regulation 347, then a *Waste Analysis Plan* is required;

(j) If a *Waste Analysis Plan* is required, it shall be developed and carried out in accordance with Regulation 347 and Section 7.0 of the *Ministry's Land Disposal Restrictions (LDR) Handbook*, hereafter referred to as the *handbook*;

CONTENT COPY OF ORIGINAL

(k) Records that are required to be kept as outlined in Section 7.0 of the *handbook*, shall be kept during the active period of on-*Site* treatment and for at least two years after the treatment ceases;

(l) For wastes that are subject to *LDR*, the *Owner* shall follow the notification, reporting and record-keeping requirements that are outlined in Regulation 347 and the *handbook*;

(n) The *Owner* shall maintain for a period of five (5) years, a record available for inspection, tracking the path of waste movement through the *Site* for *Listed Waste* including as a minimum;

- (i) Date of receipt of the waste, including manifest number;
- (ii) *Waste class* and waste characteristic;
- (iii) Volume or mass of waste received; and
- (iv) Date and location of disposition of the *Listed Waste*, including the manifest number;

(o) *Hazardous waste* may be *blended* with another *hazardous waste* under the following conditions:

i) only compatible *hazardous wastes* may be blended and that also have the same *LDR* treatment requirements;

ii) no *characteristic waste* shall be *bulked* or *blended* if the only purpose of the *bulking* or *blending* is to dilute the waste;

iii) no *hazardous waste* may be *bulked* or *blended* unless the waste has first been tested and characterized; and

iv) all products of *bulking* and *blending* shall be properly characterized (including testing as necessary to establish the correct characterization) before being disposed of;

(p) The following types of waste shall not be *blended* together:

i) Wastes that are not in the same physical state;

ii) Wastes that are not like waste (e.g. oil and solvent);

iii) Waste with different primary waste characterization (e.g. T and H, L and T);

iv) Waste that are not similar in composition (e.g. organic and inorganic);

v) if combining the wastes results in dilution of regulated constituents;

vi) *Hazardous waste* that are subject to the *LDR* requirements that are combined with waste that are not subject to the *LDR* requirements;

vii) A *hazardous waste* that is subject to *LDR* with any other *hazardous waste* if they have different *LDR* treatment requirements; and

viii) Combining waste to change the nature of the waste (e.g. a T (leachate toxic waste) with a non-*hazardous waste* to create a non-*hazardous waste*);

(q) If a backhoe is used for *bulking* and/or *blending* of a particular solid waste, such backhoe must be fully cleaned before it can be used for the *bulking* and/or *blending* of a different waste or before it can be used for another purpose at the *Site* or off the *Site*;

(r) If it is discovered that a manifested waste at the *Site* was improperly labelled, the *Owner* shall inform in writing the generator of the waste, the *District Manager* and the Hazardous Waste Information Network (HWIN) section of the *Ministry* with a copy to the *District Manager* of all of the details of the waste, the improper labelling and action taken by the *Owner*;

(s) The *Owner*, when transferring *lab pack* material shall record the dispersal of contents of each *lab pack* by identifying each container that waste is transferred to with a unique identifier. The *Owner* shall comply with all labelling required by this *Certificate* and that required by all other applicable regulations;

(t) Except as noted in Condition 24.1 (u) of this *Certificate*, the largest container that can be

CONTENT COPY OF ORIGINAL

used for *bulking* liquids or to hold a *liquid waste* at the *Site* is a tote of maximum size of 1000 litres;

(u) The *Site* is allowed to have on-*Site* a maximum of three (3) tankers, each of maximum capacity of 24,600 litres for the purpose of *bulking* waste;

(v) Any of the three tankers referred to in 24.1 (u) that are on-*Site* and that contain any waste shall be parked overnight in the transfer building at the *Site*;

(w) The *Owner* shall store and dispose any contaminated ice at the *Site* as a liquid industrial waste;

(x) The *Owner* shall keep a written record of the amount of ice generated at the *Facility* and provide a summary of the records in the annual report that is required to be provided to the *Ministry*;

(y) Any waste that is classified as a solid waste needs to be able to pass the *slump test*;

(z) The *Owner* shall not change a waste that is characterized as a *liquid waste* to a characterization as a solid waste unless it passes the *slump test* for a solid;

(aa) Waste that are not of the same physical state, for example a liquid and a solid, may not be mixed together; and

(bb) The *Owner* shall ensure that all of the wastes generated at the *Site* are disposed in accordance with *O. Reg. 347*; and

24.2 a) *Solidification* carried out at the *Site* for liquid industrial waste is limited to the *solidification* of non-hazardous liquid industrial waste as described in the latest Design and Operations Report that is identified in Schedule "A", which forms part of this *Certificate*;

b) A record shall be maintained indicating the origin of all waste in each batch of processed waste. Included in the records shall be the date of processing and to which location the processed waste was transferred. The records shall be maintained for a minimum of two (2) years at the *Site*;

c) The *Owner* shall ensure that waste received for *solidification* is non-hazardous;

d) There shall be no *solidification* processing of ignitable wastes (I);

e) fly ash, clay adsorbents, sawdust, and crushed firebrick are the only binders allowed for solidification;

f) The use of any other type of solidification reagents other than those listed in Section 24.2 e) shall be used only after written notification to the *District Office* of the *Ministry*;

g) As a minimum requirement, each batch of processed waste must be in compliance with at least two slump tests drawn from different locations of the batch waste to indicate that the waste is not a *liquid waste* prior to loading the waste for transportation from the *Site*;

h) Processed waste must be in compliance with all slump tests to indicate that the processed waste is not a *liquid waste*;

i) The *Owner* shall ensure that each batch of *solidified liquid waste* processed at the *Site* is inspected by a *Competent Person* prior to loading the waste for transportation from the *Site* to

CONTENT COPY OF ORIGINAL

ensure that it is not a *liquid waste* and is being disposed of in accordance with the *Act* and *O. Reg. 347*;

j) As a minimum requirement, one *TCLP procedure* shall be taken for a one (1) week representative sample for every three (3) months of processed waste and the results shall meet the *TCLP* requirements that define a non-hazardous waste as per Schedule 4 of *Reg. 347* prior to loading the waste for transportation from the *Site*;

k) A record of the testing and inspections required by Conditions 24.2 h) and 24.2 j) shall be recorded in a daily log book and shall be included as part of the annual report as described in Condition 71 of this *Certificate*; and

l) *Hazardous waste* received at the *Site* shall not be *solidified*; and

24.3 a) If as a result of *blending, bulking* or *solidification* of waste, a process upset occurs that results in an excessive or uncontrolled release of heat, odour, vapours or any other contaminant, or should a fire occur, the *Owner* shall:

- (i) immediately cease the processing of waste within the treatment cells;
- (ii) report the process upset to the Ministry in accordance with the reporting requirements in the *Act*;
- (iii) immediately take all necessary actions to minimize and ameliorate any adverse effect on the natural environment caused by the upset; and
- (iv) conduct an investigation to determine the cause of the upset; and

b) Prior to resuming processing operations, and in any case no later than three (3) working days after the processing operations have been ceased in accordance with Condition 24.3 a) of this *Certificate*, the *Owner* shall submit a written report of the occurrence to the *District Manager*. The written report shall outline the cause(s) of the upset and shall describe the proposed actions to be taken, including remedial measures, managerial or operational changes to reasonably avoid the recurrence of similar incidents.

25. The *Owner* shall have in place a waste acceptance and rejection procedure to ensure that only wastes approved under this *Certificate* are received at the *Site*. The waste acceptance procedure shall include, as a minimum:

(a) A written screening procedure for incoming waste;

(b) The screening shall include screening criteria, a review of the process which generates the waste and/or required sampling and analysis of a representative sample of the incoming waste stream;

(c) All incoming and outgoing wastes shall be inspected and tested as detailed in Schedule "B" and "C" of this *Certificate*, prior to being received, processed, transferred and shipped to ensure wastes are being managed and disposed of in accordance with the *Act* and *O. Reg. 347*;

(d) The *Owner* shall have a tracking system that assigns a tracking number to each incoming waste;

(e) The *Owner* shall have in place within sixty (60) days of issue of this certificate a robust data management system to track the waste that is required by Condition 25 d);

(f) The data management system required by condition 25 e) shall contain the following information as a minimum:

- i. The tracking number assigned by the *Owner* to track the incoming waste;
- ii. Location where the waste came from;
- iii. Identify whether the waste is a *Subject Waste*;
- iv. Waste Manifest number for any *Subject Waste*;

CONTENT COPY OF ORIGINAL

- v. The date the waste was received;
- vi. Any analysis that was done on the waste;
- v. The quality, quantity and nature of the waste;
- vii. Identify if the waste is a *hazardous waste* that is subject to *LDR*;

viii. If the waste is subject to *LDR*, an identification of how the waste would be managed such that the *Owner* would be compliant with the *LDR* of *O. Reg. 347*; and

- ix. Any other information required so that the *Owner* can be compliant with *O. Reg. 347*;

(g) Inspecting all incoming waste loads, reconciling the load with incoming documentation, performing screen tests and assessing against criteria, as applicable, to ensure that the waste being received matches that obtained through the screening analysis; and

(h) Verifying waste stream characteristics through an on-going testing program.

26. Notwithstanding the requirements of Condition 25 of this *Certificate*, the *Company* shall take all reasonable actions in the way of laboratory, compatibility and bench testing of waste and materials to ensure that the *bulking*, *blending*, *solidification* and transfer of wastes at the *Site* would not result in uncontrollable reactions that could result in a fire or release of contaminants to the natural environment.

27. To insure that the company is in compliance with *Lands Disposal Restrictions (LDR)*, the following shall be followed as a minimum:

- a) In addition to *LDR* provisions in Regulation 347, the *handbook* and this *Certificate*, the *Owner* shall follow the procedure that is outlined in Item 18 of Schedule "A" for determining the appropriate management of *hazardous waste*;
- b) The *Owner* shall ensure that *hazardous waste* accepted at the *Site* and destined for land disposal are subject to the *LDR* under *O. Reg. 347* and shall not be land disposed unless it meets the treatment/standard requirement;
- c) The only exception to *LDR* being applicable to *hazardous waste* that is managed by the *Owner* is for *hazardous waste* that falls within the scope of Section 80 and 81 of *O.Reg. 347*;
- d) For exemptions from *LDR* that are being claimed under the Section 80 of *O. Reg. 347* regarding Small Quantity Generator (SQG), the following must apply as a minimum:
 - i. The generator did not mix, *blend* or *bulk* the SQG waste with any other materials;
 - ii. The generator generates less than 100 kilograms of *hazardous waste* in a month;
 - iii. The waste are held in sealed containers that weighs no more than 250 kilograms, including the weight of the container;
 - iv. If wastes in quantities greater than 250 kilograms including the weight of the container are accepted as SQG or as household hazardous waste at the *Site*, the *Owner* must be able to demonstrate that the provisions of Section 80 and/or 81 of *O. Reg. 347* apply to such waste;
 - v. the container and its seal comply with the requirements of the latest version of the *Guidance Manual*;
 - vi. There is a signed certificate affixed to the sealed containers that is filled out in accordance with the *Guidance Manual*; and
 - vii. The *Company* did not break the seal on the container;
- e) If the seal is broken on a Small Quantities container, the waste shall be considered a *hazardous waste* and would be subject to *LDR* requirements;
- f) *Lab packs* that do not have the Section 80 Small Quantity Generator exemption shall be separated by the *Owner* to

CONTENT COPY OF ORIGINAL

identify those waste that have to meet *LDR* treatment requirements and those that contain waste that do not have to meet the *LDR* treatment requirements;

g) If lab-packed waste that do not have to meet *Land Disposal Restriction* requirements are mixed with waste that have to meet the treatment requirements, the combined wastes must meet the *LDR* land disposal treatment requirements;

h) Residual waste which is a *hazardous waste* generated at the *Site* is subject to *LDR* under *O. Reg. 347* and shall not be disposed of unless the wastes meets the *LDR* treatment standard requirement that are outlined in *O. Reg. 347*;

i) Wastes subject to *LDR*, shall not be mixed, *bulked* or *blended* with wastes which have different treatment requirements set out in the relevant Schedule of *O. Reg. 347*;

j) For any waste destined for land disposal, the *Owner* shall ensure that there is analysis for such waste for all relevant regulated constituents;

k) The *Owner* shall maintain on-*Site* a written or digital record related to *LDR*. The record shall include :

(i) Copy of the original *LDR* Notification Form for the waste from the original generator;

(ii) Description of any *bulking* or *blending* of the waste;

(iii) Copy of the *LDR* Notification form that was submitted by the *Owner* to the receiver of the waste; and

(iv) Appropriate copies of waste manifests;

l) The records required by Condition 27 k) shall be kept on *Site* for a minimum of three (3) years and shall be available for inspection by a *Provincial Officer* at all reasonable times;

m) Records related to data, analysis and other information used in preparation of a Generator Registration Report (GRR) shall be kept for a minimum of three (3) years from the submission of the GRR;

n) The Annual Report submitted in accordance with Condition 71 of the *Certificate* shall include a detailed monthly summary of the type (by *waste class* and characteristic) and quantity of waste received at the *Site* for *LDR*, the amount of residual waste, if any, that was generated at the *Site* that is subject to *LDR* and the amount of waste subject to *LDR* that was sent to a receiving facility;

o) For any month where there is a greater than 10% discrepancy in the amount of waste that is subject to *LDR* that is received and generated at the *Site*, to what is sent to a receiving site that is licensed to deal with waste that is subject to *LDR*, the *Owner* shall try to identify the reason for the discrepancy and shall report on their findings in the Annual Report that is required by Condition 71;

p) *hazardous waste* that is received at the *Site* from residential sources that were collected at a depot for *Municipal Hazardous and Special Waste (MHSW)* as provided for in Section 81 of Regulation 347, shall be exempt from *LDR* requirements as long as the following applies:

i) the container holding such waste has a label, indicating that the waste is a waste from a *MHSW* depot;

ii) that the waste generation facility identification is provided;

iii) a description of the container contents is provided;

iv) that there is a certification statement that is that is signed by a person who has knowledge of the nature and source of the waste that is affixed to the waste container;

v) the waste remains in the original container in which it was received;

vi) except as noted in Condition 27 q) the original container is sealed; and

vii) the waste is segregated from waste that is subject to *LDR*;

q) *hazardous waste* from a *MHSW* depot that falls within the scope of Section 81 of *O. Reg. 347* that is *bulked* at the *Site* with other similar *MHSW*, is not subject to *LDR*;

CONTENT COPY OF ORIGINAL

r) a) The waste to which section 27 q) applies shall be labelled that the wastes are not subject to *LDR* treatment requirements in accordance with Section 81 of *Ontario Regulation 347* provided that:

- (i) the label identifies the waste as having been *bulked* with similar *MHSW*;
- (ii) the Section 81 of *O. Reg. 347* exemption is noted;
- (iii) the waste is segregated from waste that is subject to *LDR*;
- (iv) the person making the label is a *Competent Person* and their name is identified on the label; and
- (v) the container holding the mixed *MHSW* is sealed; and

b) The implementation of Condition 27 r) a) shall be within one (1) month of issue of this *Certificate*;

s) If *MHSW* were *blended* or *bulked* with any other *hazardous waste* that is not *MHSW*, the resulting mixed or *bulked* waste all becomes subject to *LDR*;

t) Where a container holds a *hazardous waste* that is subject to *LDR* where Condition 27 s) applies, the container shall be clearly labelled to indicate that it contains waste subject to *LDR*;

u) For *LDR waste*, only *hazardous waste* subject to *LDR* with the same *LDR* treatment standard(s) may be *bulked* together;

v) Where the *Owner* has *bulked* or *blended* the *LDR waste*, the *LDR* notification form required by Section 84 of Regulation 347 must be amended to identify this processing, and must be forwarded to the next receiver of the *LDR waste*;

w) Where the *Owner* has *bulked* or *blended* waste such that it becomes subject to *LDR*, the *Owner* shall provide a notification form, which complies with Section 84 of *Ontario Regulation 347*, to the receiver to whom the *Owner* is transferring the waste;

x) The notification form referred to in Condition 27 v) and w) above shall be sent in advance of, or with, the first transfer of waste. The notification form only needs to be resent if the physical or chemical properties of the waste has change at which time a revised notification form must be sent in advance of, or with, the first transfer of the changed waste;

y) The *Owner* shall request generators of *LDR waste* to notify the *Owner* of any changes or process modifications which may affect the *waste class* and/or waste characteristics;

z) The *Owner* shall follow the requirements of *O. Reg. 347* and the *handbook* for any *LDR* provision that is not covered by Condition 27 of this *Certificate*; and

aa) If there is a conflict between any Condition of this *Certificate* and *O. Reg. 347* or the *handbook*, the requirement of *O. Reg. 347* shall be followed.

28. a) The *Owner* shall ensure that all internally generated wastes are properly identified, classified, recorded, inventoried and shipped off of the *Site* in accordance with *O. Reg. 347* or the *handbook*;

b) The *Owner* shall develop a data system to track internally generated waste;

c) The *Owner* shall assign a tracking number to identify internally generated waste;

d) The inventory record of the internally generated waste shall contain the following information as a minimum:

- i. The tracking number assigned by the *Owner* to track the waste;
- ii. How the waste was generated;
- iii. The date the waste was generated;
- iv. Any analysis that was done on the waste;
- v. The quality, quantity and nature of the waste;
- vi. Identify whether the waste is a *Subject Waste*;

CONTENT COPY OF ORIGINAL

- vii. Identify if the waste is a *hazardous waste* that is subject to *LDR*;
 - viii. If the waste is subject to *LDR*, an identification of how the waste would be managed such that the *Owner* would be compliant with the *LDR* of *O. Reg. 347*; and
 - ix. Any other information required so that the *Owner* can be compliant with *O. Reg. 347*.
- e) The *Owner* shall generate a label for the internally generated waste that has the following information as a minimum:
- i. Any information that is required for a workplace label for a workplace generated controlled substance that is outlined in the Workplace Hazardous Materials Information System (WHMIS) Regulation 860 under the Occupational Health and Safety Act; and
 - ii. The tracking number required by Condition 28 c) of the *Certificate*;
- f) If the waste referred to in Condition 28 a) is in a container, the label required in Condition 28 e) shall be placed in a conspicuous location on the container;
- g) If the waste referred to in Condition 28 a) is not in a container, the label shall be posted in a conspicuous location near to where the waste is located such that it is clear that the label is identifying such waste;
- h) The *Owner* shall ensure that all wastes generated at the *Site* are managed such that the *Owner* would be compliant with the *LDR*;
- i) Internally generated waste shall be taken to a facility approved to accept such wastes; and
- j) The *Owner* shall ensure that only haulers approved by the *Ministry* are used to transport all waste from the *Site* including *recyclable waste*.
29. The *Owner* shall ensure that the *Site* is not operated unless all air approvals under Section 9 of the *Act*, where applicable, have been obtained.
30. At no time is burning of any materials allowed on the *Site*.
31. The *Owner* shall ensure that any mobile processing equipment to be used at the facility has been approved by the *Ministry* with a Mobile Certificate of Approval (Air), if required, and a Mobile Certificate of Approval (Waste Management System).
32. The *Owner* shall provide fifteen (15) days notice to the *District Manager* of the use of any mobile processing equipment at the *Site*.
33. The transfer/processing of all wastes or recyclables at the *Site* shall take place within the confines of the transfer building with the exception of :
- (a) the transfer of solids and *lab packs* within drums which may occur from truck to truck within the fenced compounds of the *Site* in accordance with Item 18 in Schedule "A";
 - (b) general refuse and municipal waste being transferred to roll-off bins located to the south of the transfer building; and
 - (c) metal for recycling being transferred to roll-off bins located to the south of the transfer building.
34. (a) All containers of waste, stored at the *Site*, except for wastes stored in trailers, shall be inspected on every operating day by a *Competent Person* to ensure the integrity of the containers is acceptable, waste is not leaking and the drums are properly labelled with a description of the waste contained in the container;

CONTENT COPY OF ORIGINAL

- (b) The containers of waste shall be stored in such a manner that there is access to do a proper inspection;
- (c) The storage of waste on trailers shall be such that all waste containers in any trailer are stored so as to allow an inspection of the containers when the door at the rear of the trailer is opened;
- (d) The inspection of waste containers on trailers shall be done on every operating day by a *Competent Person* to see if the containers are stored properly and are not leaking; and
- (e) A signed and written record of the inspections including the date of inspection, the location of the containers which were inspected, the condition of the containers, the acceptability of container labelling and the contents of the containers is to be maintained at the *Site* and kept available for inspection by *Ministry* representatives.

35. The transfer and processing to or from vehicles, drums or bins at the *Site* and the management of waste at the *Site* including proper storage and handling of waste shall be supervised by a *Competent Supervisor* and shall be performed at all times by a *Competent Person*.

- 36. (a) The *Owner* shall post signs in all areas of storage inside the transfer building identifying the waste that is being stored;
- (b) The *Owner* shall mark the floor in the transfer building where the 18 rows for drums of waste are allowed to be stored as shown in Item 18 of Schedule "A";
- (c) Each section of the floor between the 18 rows that are marked for allowable storage shall be marked with hash marks;
- (d) Each section of the floor referred to in Condition 36 (c) of this *Certificate* shall have the following words inscribed in letters that are red in colour and that are at least 10 centimetres in height, "NO STORAGE, FIRE ROUTE";
- (e) The *Owner* shall number each of the 18 rows where waste are allowed to be stored in the waste transfer station such that the number of the row and waste type or waste types stored in that row are visible when the rows are filled with drums;
- (f) The marking on the floor as required by Conditions 36 b, c and d of this *Certificate* shall be made from durable floor marking or indicator paint and shall be applied within thirty (30) days of issue of this *Certificate*;

(g) The marking on the floor referred to in Conditions 36 b, c, d and f of this *Certificate* shall be inspected by a *Competent Person* for visibility at least every August starting in 2011;

(h) Any marking or parts of markings that the inspection required by Condition 36 g of this *Certificate* reveals are not sufficiently visible shall be repainted forthwith;

(i) The *Owner* shall ensure that all trailers referred to in Condition 49 (d)(i) of the *Certificate* shall be placarded in accordance with the requirements of the *Transportation of Dangerous Goods Act* and shall be placarded to identify the type of waste being stored;

(j) 1. The *Owner* shall maintain a form outlining the inventory of all of the trailer contents in a waterproof receptacle to be located at the front of each of the trailers;

2. At a minimum the inventory details shall include the following:

- (i) the description of the waste;
- (ii) the container type; and
- (iii) the amount of waste stored;

CONTENT COPY OF ORIGINAL

(k) 1. The *Owner* shall maintain a fire tube plan located on the front wall of the *Company's* office used for the *Site* that is located across the street from the *Site*, that describes the current inventory of waste stored in the Waste Transfer building and in the roll-off bins, and storage trailers;

2. At a minimum the inventory details shall include the following:

- (i) the description of the waste;
- (ii) the container type; and
- (iii) the amount of waste stored;

(l) The forms referred to in Conditions 36 (j) and 36 (k) of this Certificate shall be updated by the end of each operating day;

(m) A copy of the form referred to in Condition 36(j) and 36 (k) of the *Certificate* shall be provided to the local Fire Department within thirty (30) days of issue of this permit; and

(n) If the local Fire Department requests changes be made to the forms that is referred to in Conditions 36 (j) and 36 (k), the *Owner* shall make the requested changes within thirty (30) days of the local Fire Department requesting the changes.

37. The *Owner* shall ensure that there is no floor drains within the transfer building.

38. There shall be no queuing or parking of trucks that are waiting to enter this *Site*.

39. The *Owner* shall ensure that any waste water arising from the washing or rinsing of drums, containers, equipment and other washing is managed and disposed of as waste, and is not discharged into the natural environment.

40. (a) The processing areas, including the area outside of the processing booth, and in front of the solid waste mixing bin shall be cleared of all material at the end of every day; and

(b) No materials shall remain on the loading dock beyond 24-hours.

41. (a) A physical inventory of waste on *Site* shall be completed once every six months; and

(b) As is required by Condition 71(e) of the *Certificate*, the total quantity of each classification of waste and recyclable materials from the latest physical inventory shall be included in the Annual Report that is required by Condition 71 of the *Certificate*.

Security

42. The *Company* shall ensure that:

a) All *Company* employees or contractors who manage waste at the *Site* are *Competent People* and are supervised by a *Competent Supervisor*; b) A *Competent Person* is available at all times during the hours of operation at this *Site*;

c) No loading, unloading or processing of waste and/or recyclable material shall occur unless a *Competent Person* supervises the loading, unloading or processing operation;

d) The *Site* is locked and secured at all times when a *Competent Person* is not present and/or not on duty;

e) The *Site* is adequately lit at all times;

f) Within sixty (60) days of issue of this *Certificate* the *Owner* shall provide to the *District Manager* a written report that details the minimum standards of housekeeping needed for the waste transfer building at the *Site*;

g) The report required in 42 f) of this *Certificate* shall include the need for the waste transfer building to be

reasonably clean and free of debris, extraneous waste, spills and fire hazards;

h) If the *Owner* has not heard back from the *District Manager* within ninety (90) days of issue of this *Certificate* regarding 42 f) and 42 g) of this *Certificate*, the *Owner* shall implement the housekeeping report and shall make the housekeeping standards outlined in the report, the minimum standards of housekeeping at the *Site*; and

i) If the *District Manager* rejects the housekeeping report, the *Owner* shall submit a housekeeping plan for the Waste Transfer building at the *Site* to the *Director* within thirty (30) days of the rejection from the *District Manager*.

43. The *Company* shall post signs on the property, which can be read at a distance of twenty-five (25) meters from a public roadway bordering the *Site*, identifying the name of the facility and an emergency telephone number.

Waste Screening

44. The *Company* shall maintain and operate within the procedures specified in the Quality Assurance/Quality Control (QA/QC) program for the sampling and analysis of all incoming and outgoing wastes that is outlined in Schedules B and C of this *Certificate*. The *Company* shall make the results of the program and all analytical results available for inspection upon request by a *Provincial Officer*.

45. The *Company* shall ensure that no radioactive waste, as defined in *Ontario Regulation 347*, is accepted at this *Site*.

46. (a) The *Company* may *bulk* the contents of *lab packs* and small containers from different customers into drums, which do not exceed 205 litres;

(b) One out of each of every 500 drums, 150 totes or 50 bins containing *bulked*, or *blended* waste shall be randomly selected and shall be sampled and analysed for *PCB* waste; and

(c) If the waste referred to in Condition 46 (b) is confirmed to be *PCB* waste, then Condition 48 of the *Certificate* shall be implemented.

PCBs

47. (a) The *Site* shall not receive *PCB* waste; and

(b) After November 30, 2010 the *Site* shall not store any *PCB* waste.

48. For waste received at the *Site* that is confirmed *PCB* waste, the *Company* shall:

(a) report the *PCB* waste forthwith to the *District Manager*;

(b) manage the waste in accordance with *Ontario Regulation 362*; and

(c) transfer the *PCB* waste to an *MOE* approved *PCB* storage site within 48 hours or as soon as is practicable, in accordance with, written instructions from a *Director* as defined in *Ontario Regulation 362*, or an *MOE* Waste Management System Certificate of Approval which specifies the manner in which *PCB* waste may be stored, handled, collected, transported or disposed of.

Waste Storage

49. (a) The *Company* shall ensure that all waste received in the unloading area is moved to the appropriate storage location at the end of each work day;

(b) The *Company* shall ensure that incompatible wastes are kept separate when staged in the unloading area;

CONTENT COPY OF ORIGINAL

(c) i. All wastes on-*Site* as of the date of issue of this *Certificate* shall be removed from the *Site* within one (1) year of date of issue of the *Certificate*, unless a detailed plan for removal of identified remaining wastes is authorized, in writing, by the *District Manager*;

ii. Except as noted in Condition 49 (c) i, the Company shall not store any waste at the *Site* beyond one hundred and eighty (180) days from the date of receipt of the waste, unless the *District Manager* authorizes, in writing, the storage beyond one hundred and eighty (180) days; and

iii. The Company shall submit a detailed action plan to the *District Manager* of how it will implement the requirements of condition 49 (c) i, by 180 days of the date of issue of the *Certificate*.

(d) Wastes may be stored outdoors, but is limited to the following areas identified in Item 18 of Schedule "A":

(i) a) within a maximum of 29 leak proof containment trailers that are allowed to be located to the north and northwest of the transfer building as shown in the *Site* plan contained in Item 18 of Schedule "A";

b) each of the trailers shall have a spill containment liner that can contain the volume of at least 20,000 litres; and

c) only waste that are compatible shall be stored in each trailer;

(ii) Until November 30, 2010, within one (1) containment trailers in the *PCB* Storage Area located north east of the transfer building; and

(iii) within up to a maximum of 17 tarped or otherwise covered roll-off bins, to the south of the transfer station as shown in the *Site* plan contained in Item 18 of Schedule "A", for the purpose of storing solid hazardous and solid non- *hazardous waste*;

(e) All wastes within the roll-off bins referred to in Condition 49 (d)iii shall be contained within a suitably designed, chemically resistant leak proof bag. A *Competent Person* shall review the chemical make-up of each waste batch to determine the necessity for the use of a second chemically resistant leak proof bag and the *Competent Person* shall record the results of his review and action taken in the records that are required by Condition 65 of this *Certificate*;

(f) Waste storage bins shall be placarded with the appropriate Transportation of Dangerous Goods placards if the waste is hazardous; and

(g) Waste bins that store waste shall be labelled to identify if they contain non-hazardous solids or hazardous solids.

50. The *Company* shall ensure that:

(a) all containers, used to store waste, be maintained in good condition to prevent leakage;

(b) the doors to all waste trailers be in good working order;

(c) the roll-off bins and trailers containing waste shall be mobile, operable, sealed and able to move in the event of an emergency;

(d) the *Company* immediately remove from service any leaking waste container;

(e) leaking or failing drums not be stored on-*Site* unless they are placed within leak proof over packed drums;

(f) all containers, used to store or process waste, that may discharge a contaminant into the natural environment, are closed and/or covered during storage;

(g) the integrity of roll-off bins and trailers containing waste shall be inspected on each operating day by a *Competent Person*;

(h) a qualified mechanic shall conduct a yearly inspection of the integrity of all roll-off bins and trailers containing waste;

(i) the results of the inspections required by 50 g) and 50h) shall be recorded in the records that are required by Condition 65 of the *Certificate*; and

(j) all waste containment areas for spillage shall be designed and maintained in accordance with the *Guideline*.

51. i. The *Company* shall ensure that all wastes *bulked* or *blended* in a *bulking/blending* container are chemically compatible; and

ii. Waste contained in a storage area such as a storage trailer are chemically compatible.

52. All waste at the *Site* shall be stored in accordance with the *Guideline*, the Ontario Fire Code of the Ontario Fire Protection and Prevention Act, and in accordance with Item 18 of Schedule "A";

53. a) The number of drums containing waste shall not exceed 1344 in the waste transfer building at the *Site*; and

b) The storage of drums must be stored in accordance with the building diagram that is in Item 18 of Schedule "A", be in compliance with Condition 36 of this *Certificate*, and must be able to properly fit into the restricted storage area.

54. Compressed gas cylinders shall be stored in a separate, secure, open area at the south side of the *Site*, consisting of a maximum area of thirty-eight (38) square metres and identified by a posted sign as the gas cylinder storage area.

Inventory of Waste

55. The *Company* shall:

(a) clearly label all waste received at the *Site* that are to be stored in drums with a drum inventory number, the appropriate Transportation of Dangerous Goods label, and company specific waste type code;

(b) keep a daily inventory for all wastes stored at the *Site*; and

(c) The inventory of waste stored at the *Site* shall be used to prepare a "summary" and must include as a minimum:

(i) the location of the storage facility for the container;

(ii) drum inventory number;

(iii) when the drums are stored in the waste transfer building, the row number where the drum is stored;

(iv) when drums are stored in trailers, the number that of the trailer that the drum is stored in;

(v) number of drums for each of the *Company* specific waste type code;

(vi) a summary of the volume of Liquid Industrial and *hazardous waste*, the volume of Solid *hazardous waste* and the volume of Solid Non-*hazardous waste*; and

(vii) name, signature of person preparing the inventory and the date of the inventory.

56. The *Company* shall make the inventory summary referred to in Condition 55 available for an inspection by a *Provincial Officer* at all times.

57. The *Company* shall ensure a document cross referencing the *Company* specific waste type codes to *MOE waste classes* is available at all times to a *Provincial Officer* along with the inventory of waste summary.

Competent People

58. a) All employees involved in handling and processing of waste shall be:

i) *Competent People*;

ii) shall receive refresher training at least once per year; and

iii) shall be supervised by a *Competent Supervisor*;

b) To allow time for training and recruitment, all references to *Competent People* and *Competent Person* take effect after sixty (60) days of issue of this *Certificate*; and

c) During the sixty (60) days referred to in Condition 58 b) above, that the *Company* is not required to have a *Competent Person* or *Competent People* handle and process waste, they shall practice due diligence to make sure

that the people they have handling and processing waste at the *Site* do their work such that the natural environment and health and safety of workers at the *Site* and others are protected.

Complaint Response

59. If at any time a complaint is received regarding the operation of the *Waste Site*, the complaint shall be responded to by the *Owner/Operator* according to the following procedure:

- a. The *District Manager* shall be notified forthwith upon receipt of any complaint;
- b. Each complaint shall be recorded and numbered, either electronically or in a separate log book, and shall include the following information:
 - i. the nature of the complaint;
 - ii. if complaint is odour or nuisance related, the weather conditions and wind direction at the time of the complaint;
 - iii. the address of the complainant (if provided); and
 - iv. the time and date of the complaint;
- c. Appropriate steps shall be taken forthwith to determine all possible causes of the complaint and to eliminate the cause of the complaint. A written reply, if requested, shall be provided to the complainant within three (3) days of the complaint;
- d. A written report shall be completed and retained at the *Site* within one (1) week of the complaint date outlining the information required by sub-conditions a, b, and c above that details as appropriate, the actions taken to investigate the cause of and to resolve the complaint including any recommendations for remedial measures, and managerial or operational changes proposed and taken to reasonably avoid the recurrence of similar *incidents*; and
- e. A copy of the written report referred to in Condition 59 (d) shall be forwarded to the *District Manager* within ten (10) days of the complaint date.

Stormwater Management

60. a) The bins referred to in 49 d) and 49 e), if used to store *hazardous waste*, shall be located in a covered area to protect the contents of the bin from precipitation; and
- b) The covered area for the bins that is referred to in Condition 60 a) of this *Certificate*, shall be installed within twelve (12) months of issue of this *Certificate*.
61. a) Empty drums shall be allowed to be stored in the western part of the *Site* as shown in Item 18 of Schedule "A";
- b) Empty drums or containers that contained a *Pesticide* shall be triple rinsed in accordance with Section 105(1) and (2) of Regulation 63/09 of the Pesticides Act;
- c) Within a year of issue of this *Certificate*, the *Owner* shall develop and implement a plan for the rinsing of empty drums and containers that contained *hazardous waste*; and
- d) A copy of the plan referred to in Condition 61 c) of this *Certificate* shall be submitted to the *District Manager* within fifteen (15) days of the *Company* developing the plan.
62. a) The *Company* may have a commercially available drum crusher at the south-western part of the *Site* in the area identified in the *Site* map that is shown in Item 18 of Schedule "A";
- b) the drum crusher shall be in a covered area to protect it from precipitation; and

c) the drum crusher shall have a spill pan to catch any contaminants.

63. The *Company* shall manage all discharges from the *Site*, including storm water run-off in accordance with appropriate Municipal, Provincial and/or Federal legislation, Regulation and By-laws and in accordance with the Ontario Water Resources Act.

Site Inspections

64. The *Company* shall:

- (a) ensure the *Site* is inspected daily by a *Competent Person* for leaks/discharges or any deterioration that may cause an adverse impact, and to ensure the *Site* is being operated in accordance with the *Certificate*;
- (b) on at least a monthly basis, inspect all containment systems for cracks and spalling;
- (c) inspect the storage of drums in the waste transfer building to see if they are in compliance with Conditions 36 a, b, c, d and e of this *Certificate*; and
- (d) remedy any malfunction and/or deficiency which these inspections reveal.

Record Keeping

65. The *Company* shall maintain a written record of daily inspections of the *Site*. This record shall be in the form of a *Site* Inspection daily log and shall include as a minimum:

- (a) date and time of inspection;
- (b) name, title and signature of *Competent Person* conducting the inspection;
- (c) a listing of all equipment, fencing, gates etc inspected and any deficiencies observed;
- (d) results of the semi-annual inventory of waste;
- (e) recommendations for remedial action and date remedial action, if necessary, was completed; and
- (f) indication of any *Incidents*.

66. The *Company* shall maintain daily records of the waste and/or recyclable material received and processed at the *Site*. These records shall be in the form of daily processing logs and shall include as a minimum:

- (a) date, quantity, type (*waste class* and primary characteristic) and source of waste received;
- (b) date, quantity and type of waste processed;
- (c) detailed record of any *hazardous waste* that is received at the *Site* and leaves the *Site* either with a different *waste number* or as a non-*hazardous waste* along with an explanation of how this happened;
- (d) within two years of the issue of this *Certificate*, the records shall include the date, quantity, type and type of waste or processed material stored and length of time stored;
- (e) within two years of the issue of this *Certificate*, the records shall include the storage row number or trailer number of each drum or container of waste that is stored;
- (f) drum inventory number of waste received, *blended* or *bulked*;
- (g) any analytical data pertinent to the operation of this *Facility*;
- (h) the capture of ice material during the winter months;
- (i) the amount of wood chips used to *bulk/blend* waste;
- (j) any records that are required to be kept because of the *LDR*, including *Waste Analysis Plan* records; and
- (k) A record of any and all waste in which the *waste number* changed in any way; and
- (l) Any records that are required by Conditions 24.2 and 24.3 of this *Certificate*.

67. The *Company* shall maintain a written record of all recycled material and waste, including residual waste, shipped off-*Site* which shall include as a minimum:

- (a) daily total quantity and type of waste transferred off-*Site*; and
- (b) destination of any recycled material and waste transferred off-*Site*.

68. The *Company* shall maintain a detailed diagram on-*Site* at all times identifying the locations of each waste type and/or recyclable material and shall ensure the diagram is a true reflection of the materials stored on-*Site*. The *Company* shall

make the diagram accessible at all times to *Emergency response personnel* and/or a *Provincial Officer*. The *Company* shall include with the diagram information on appropriate fire fighting measures and safety precautions for each waste grouping.

Environmental Emergency

69. The *Company* shall develop and maintain within ninety (90) days of issue of this *Certificate*, an environmental emergency plan for the *Site*. The plan shall include, as a minimum, the following:

- (a) measures for the preparation for, the prevention of, the response to and the recovery from an environmental emergency including but not limited to:
 - i) a current *Site* plan showing all of the details of the *Site*;
 - ii) a building plan showing all of the details inside of the waste transfer building;
 - iii) precautions to be taken to prevent fire, explosion or uncontrolled reaction when managing and storing waste that is flammable, reactive or oxidizing;
 - iv) measures to prevent spillage or uncontrolled release of waste;
 - v) measures to ensure that all waste materials at the *Site* are stored in an appropriate storage areas with secondary containments that are designed and constructed in such a manner that it is capable of retaining any spill or leak of waste that may occur;
 - vi) measures to ensure that *liquid waste* stored within the transfer building shall not exceed the containment capacity of the transfer building as outlined in Item 18 of Schedule "A";
 - vii) fire protection system, control and safety devices;
 - viii) measures for spill alerting, containment, treatment, clean-up and disposal;
 - ix) minimum training needed for *Site* operators and *Site* emergency response team;
 - x) availability of spill clean-up equipment;
 - xi) maintenance and inspection programs for spill clean-up equipment;
 - xii) inspection procedures to make sure the *Site* is compliant with the Ontario Fire Code of the Ontario Fire Protection and Prevention Act and the *Guideline*;
 - xiii) procedure for providing a written log or an electronic file to record the description of all spills or process upset, the action taken for the clean-up or correction of the spill or process upset, the time and date of the spill or process upset, and for spills, the time that the *Ministry* and other persons were notified of the spill in fulfilment of the reporting requirements in the Act; and
 - xiv) a notification protocol with names and telephone numbers of persons to be contacted, including *Company* personnel, the Ministry of the Environment *District Office* and the *Ministry's* Spills Action Centre, the local Fire Department, the local Municipality, the local Medical Officer of Health and Human Resources Development Canada;
- (b) Within ninety (90) days of issue of this *Certificate*, the *Company* shall have a Professional Engineer review and provide a written report about the adequacy of the environmental emergency plan and the adequacy of *Company's* management and storage of waste that are flammable, reactive or oxidizing; and
- (c) A copy of the report from the Professional Engineer shall be appended to the Environmental Emergency Plan.

70. a) Within one hundred (100) days of issue of this *Certificate*, the *Company* shall submit to the *District Manager*, the Fire Prevention Officer of the Local Fire Department and the Local Municipality a copy of the environmental emergency plan required by Condition 69 a) along with a copy of the report from a Professional Engineer that is required by Condition 69 b); and

b) The *Company* shall as a minimum, review the environmental emergency plan on an annual basis by March 31 of each year, and shall submit to the *District Manager*, the Fire Prevention Officer of the Local Fire Department and the Local Municipality, an updated environmental emergency plan within thirty (30) days of any amendment to it.

Annual Report

71. By March 31 of each year, the *Company* shall submit to the *District Office* an annual report covering the previous calendar year. Each report shall include, as a minimum, the following information:

- (a) a monthly summary of the type and quantity of all incoming and outgoing wastes;
- (b) any environmental and operational problems, that could negatively impact the environment, encountered during the operation of the *Site* and during the *Facility* inspections and any mitigative actions taken;

- (c) The total quantity of each classification of waste and recyclable material remaining in each storage area at the end of each month;
- (d) Identify any waste during the year that has been stored at the *Site* for more than 180 days;
- (e) The total quantity of each classification of waste and recyclable material determined from the latest physical inventory of waste of each storage area;
- (f) The total quantity of wood chips used in the previous year to *bulk* waste at the *Site*;
- (g) A report on the results and analysis of the groundwater monitoring program required by Condition 73 of this *Certificate*;
- (h) Any operational problems or process upsets that may negatively impact the quality of the environment encountered during the operation of the *Site* and any mitigative actions taken, and including a summary of any complaints received regarding the operation of the *Site*;
- (i) Any recommendations to minimize environmental impacts from the operation of the *Site* to improve *Site* operations and monitoring programs in this regard;
- (j) A summary of any changes made in the previous year to the in the Environmental Emergency Plan that is referred to in Conditions 69 and 70 of the *Certificate*;
- (k) A summary of the records outlined in Condition 27 k) that are required regarding *LDR*;
- (l) summary of any *hazardous waste* that was received at the *Site* and left the *Site* either with a different *waste number* or as a *non-hazardous waste*; and
- (m) A statement as to compliance with all Conditions of this *Certificate* and with the inspection and reporting requirements of the Conditions herein.

Financial Assurance

72. (a) Within ten (10) days of issuance of this *Certificate*, the *Company* shall maintain with the *Ministry*, Financial Assurance as defined in Section 131 of the *Act*, in the amount of six hundred and fifty thousand Canadian dollars (CAN \$650,000.00). This Financial Assurance shall be in a form acceptable to the *Director* and shall provide sufficient funds for the analysis, transportation, *Site* clean-up, monitoring and disposal of all quantities of waste on-*Site* at any one time;

(b) Within thirty (30) days of issuance of this *Certificate*, the *Company* shall submit to the *Director*, a re-evaluation of the amount of Financial Assurance to implement the actions required under Condition 72 a). The re-evaluation shall include an

assessment based on any new information relating to the environmental conditions of the *Waste 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 twenty (20) days of written acceptance of the re-evaluation by the *Director*;

(c) Commencing on March 31, 2013 and at intervals of three (3) 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 72 a). The re-evaluation shall include an assessment based on any new information relating to the environmental conditions of the *Waste 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 twenty (20) days of written acceptance of the re-evaluation by the *Director*;

(d) Commencing on March 31, 2011, the *Owner* shall prepare and maintain at the *Waste Site* an updated re-evaluation of the amount of Financial Assurance required to implement the actions required under Condition 72 a) for each of the intervening years in which a re-evaluation is not required to be submitted the *Director* under Condition 72 c). The re-evaluation shall be made available to the *Ministry*, upon request; and

(e) 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.

GROUNDWATER MONITORING

73. (a) A sample from each monitoring well as identified in the Hydrogeologic Assessment Report, Project No. 92-G-823 prepared by Geologic Inc. and dated August 1992, shall be collected and analysed semi-annually in the spring and fall for the following parameters: Conductivity, Chlorides, E.P.A. 624 Volatile Organics, pH, phenols and hardness; and

(b) The parameters and the frequency for which they are monitored may be revised at the discretion of the *District Manager*.

Closure Plan

74. (a) The *Company* shall submit, for approval by the *Director*, a written Closure Plan six (6) months prior to the permanent closure of the *Site*. This plan must 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; and

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

SCHEDULE "A"

Schedule "A" forms part of this Provisional Certificate of Approval.

(1) Hydrogeology report entitled Preliminary Report: Proposed Buckham Waste Transfer Facility, dated September 1991 and prepared by Site Investigation Services Limited.

(2) Engineering Reports and Plans etc. for the Containment Building and the berms prepared by Mortlock Construction Inc. and dated September 9, 1992.

(3) Traffic Impact Assessment Report prepared by The Greer Galloway Group Inc. and dated July 8, 1992.

(4) Hydrogeologic Assessment Report prepared by Geo-Logic Inc. and dated August 1992.

(5) Letter from Archie Hoevenaars, Operations Manager, Buckham Transport Ltd. to Geoff Carpentier, Ministry of the Environment, dated October 22, 1992.

(6) Revised application for a Waste Disposal Site and supporting information, dated April 22, 1996.

(7) Letter from David Neilson, Technical Director, Buckham Transport Ltd., to Michael W. Longpré, Ministry of the Environment, dated May 22, 1996.

(8) Letter from David Neilson, Technical Director, Buckham Transport Ltd., to Micheal W. Longpré, Ministry of the Environment, dated July 23, 1996.

(9) Copy of correspondence from Mrs. June M. Buettner, Clerk-Treasurer, Township of South Monaghan to William A. Buckham, President, Buckham Transport Ltd., dated October 22, 1996.

(10) Document entitled "Buckham Transport Ltd. A341906 Amendment to Provisional Certificate of Approval", prepared by Geo-Logic Inc., dated September 18, 2000.

(11) Document Entitled "Site Design and Operation Report Buckham Transport Ltd", prepared by Geo-Logic Inc., dated July 2003.

(12) Letter from David Neilson, Technical Site Manager, Buckham Transport Ltd. to Timothy Edwards, Ministry of the

Environment, dated July 22, 2003.

(13) Letter from Timothy Edwards, Ministry of the Environment, to David Neilson, Buckham Transport Ltd., dated July 29, 2003.

(14) Letter from Catharine Buckham, Buckham Transport Ltd., to Timothy Edwards, Ministry of the Environment, dated September 9, 2003.

(15) *PCB* Disposal Agreement, Revised May 2004.

(16) Application for a Provisional Certificate of Approval for a Waste Disposal Site, dated June 23, 2006, prepared by Buckham Transport Limited, and signed by David Neilson, including details relating to the processing of aerosol containers and empty containers at the *Site* submitted supplemental to the existing *Site* Design and Operation Report.

(17) Application for a Provisional Certificate of Approval for a Waste Disposal Site, dated February 24, 2009, prepared by Buckham Transport Limited, and signed by Jason Hedges, Operations Manager and supporting information, dated February 24, 2009.

(18) *Site* Design and Operations Report, including *Site* Plan dated June 2010, Buckham Transport Ltd. Waste Disposal Transfer Station. PCLA No. A341906, Project No. G022380E1, prepared by Geo-Logic Inc., June 2010.

SCHEDULE "B"

Schedule "B" forms part of this Provisional Certificate of Approval.

1.0 Inspection and Quality Assurance of incoming and outgoing waste.

1.1 Generator Profile

A waste generator profile must be completed for each waste stream to be delivered to the *Facility*. The profile will provide basic details about the generator and each waste stream including but not limited to, waste description, transportation information, packaging information, and generator registration. The profile will be retained in a file kept at the *Site*. Each profile will be assigned a unique number. The assigned number will be transferred to the container(s) at time of reception at the *Site*. The profile will be reviewed on a yearly basis with the waste generator.

1.2 Incoming Wastes

Client Material Safety Data Sheets (MSDSs) will be collected, if possible, from the waste generator and be filed for each waste stream as part of the protocol to create customer waste profiles. Customer files will be located at the *Site* and contain the following: customer waste profile sheets, random analytical results and copy of the Ministry Waste Generator Registration. New waste streams require pre-shipment samples to be provided by the waste generator prior to receiving at the *Facility*. The samples will be analysed to characterize the waste. Test samples are not required for consumer products, unused commercial chemical for which MSDSs are available or labpacks. The testing will be conducted in accordance with analytical requirements presented in Schedule "C". *MHSW* will not be subject to sampling protocol prior to receipt. Outbound waste generated from processing *MHSW* may be subject to sampling prior to shipment to ensure accurate waste representation when requested by the primary processing Facility or receiver site.

1.3 Procedure for Random Sampling of Waste at the Site

Subsequent shipments of waste from clients under the assigned waste profile will be randomly inspected and tested to ensure the waste characterization is valid. Random samples will be collected for each waste stream received at the *Site*. Once every three months one sample from each waste stream will be collected at random. These samples will be tested in accordance with analytical requirements presented in Schedule "C". At least two of these samples will be randomly selected and tested for *PCBs*.

Samples may be subject but not limited the following methods of testing;

- Regulation 347 Toxicity Characteristic Leaching Procedure (TCLP) for Metals and/or Inorganics and/or VOC's
- Flashpoint

CONTENT COPY OF ORIGINAL

- Metals & Inorganics
- VOC's (Volatile Organic Compounds); and
PCBs

1.4 Internally Created Wastes

A Generator Waste Profile will be created for each waste stream created internally at the *Site*. An analytical characterization of the waste stream will be attached. Drums created within the *Facility* will then be tested against the waste characterization to ensure that the proper *waste class* is applied. See Appendix 3 for analytical requirements.

1.5 Outgoing Wastes

Outgoing waste will be properly labelled and if it is a *Subject Waste*, properly manifested and shipped in accordance with receiving *Facility* protocols which may require pre-shipment samples.

1.6 Sample Records

Complete records of the samples collected and the associated analytical results will be kept at the *Site* and will be promptly made available for inspection by a *Provincial Officer*.

SCHEDULE "C"

Schedule "C" forms part of this Provisional Certificate of Approval.

ANALYTICAL REQUIREMENTS

	Customer Waste Profile	Sample	Bulk PCB Test*	Flash Point	VOC's	PH	Complete O. Reg. 347 Schedule 4	Partial** O. Reg. 347 Schedule 4	MSDS
Organic Liquid									
A, B, H or T waste	X	x	IR	IR	X				IA
I or C waste	X	x	IR	IR			IR	IR	IA
L waste	X	x	IR	IR			IR	X	IA
Organic Solid									
A, B, H or T waste	X	x	IR	IR	IR		IR	IR	IA
I or C waste	X	x	IR	IR			IR	IR	IA
Inorganic Liquid									
A, B, or H waste	X	x	IR		IR	x			IA
I, C, or T waste	X	x	IR			x	IR	IR	IA
L waste	X	x	IR			x	IR	X	IA
Inorganic Solid									
A, B, H or T waste	X	x	IR		IR	x	IR	IR	IA
I or C waste	X	x	IR			x	IR	IR	IA
Non- Hazardous Waste	X	X			IR		IR	X	IA
Labpack Waste	X								IA
Consumer Wastes	X								IA
In Process Waste	x	x	IR			IR	IR	IR	

X Mandatory Testing

IA If Available

IR If Required

*Bulk PCB Test – conducted if product manufactured on or prior to 1977 or unknown production date.

**Partial O. Reg. 347 Schedule 4 – VOCs and/or Metals and/or Inorganics

CONTENT COPY OF ORIGINAL

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

- (1) The reason for the Definition section is to simplify the wording of the subsequent conditions and define the specific meaning of terms as used in this Provisional Certificate of Approval.*
- (2) The reason for Condition 1 is to clarify that the Site is to be used under this Certificate and not under any Certificate issued previously under Part V of the Act.*
- (3) The reason for Condition 2 is to ensure that the Site is operated in accordance with the application and supporting information submitted by the Applicant, and not in a manner which the Director has not been asked to consider.*
- (4) The reason for Conditions 3, 4, 5, 8, 9, 10, 11, 12, and 13 is to clarify the legal rights and responsibilities of the Company.*
- (5) The reason for Conditions 6, 7, 56 and 57 is to ensure that the appropriate Ministry staff have ready access to the operations of the Site which are approved under this Provisional Certificate of Approval. This Condition is supplementary to the powers of entry afforded a Provincial Officer pursuant to the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act, as amended.*
- (6) The reason for Conditions 14, 15, 16, 17, 18 and 19 is to ensure that the types and amounts of waste received at the Site are in accordance with that approved under this Provisional Certificate of Approval.*
- (7) The reason for Conditions 20 to 41 inclusive and 59, 60, 61, 62 and 63 is to ensure that the Site is operated in a manner which does not result in a nuisance or a hazard to the health and safety of the environment or people.*
- (8) The reason for 24.1 (e), (f) and (g) is to prevent the de-listing of a listed hazardous waste as a result of mixing with other wastes. As example of 24.1 (g) would be the mixing of a waste that is classified as a Liquid (L) waste with a Industrial Hazardous Waste (H) waste. The resulting mixture would be all classified as a (H) waste.*
- (9) The reason for conditions 24.2 is to outline the requirements for solidification.*
- (10) The reason for Condition 25.0 is to ensure the company has a proper acceptance and rejection procedure for waste.*
- (11) The reason for Conditions 27 to align with LDR requirements in Ontario Regulation 347 and require that proper records are kept with respect to data, analysis and other information used in preparation of LDR determination.*
- (12) The reason for Condition 42 is to minimize the risk of vandalism and to ensure that the Site is only operated in the presence of Competent Person to ensure the waste is properly managed.*
- (13) The reason for Condition 43 is to provide contact information to the public in the event of an emergency.*
- (14) The reason for Conditions 44, 45 and 46 is to ensure that the Company properly screens waste coming into the Site.*
- (15) The reason for Conditions 47 and 48 is to ensure that the company does not receive PCB waste at the Site and that if they do inadvertently do accept PCB waste that they are properly managed.*
- (16) The reasons for Conditions 49 to 54 inclusive is to ensure that all waste are stored properly and not in a manner that would not be in the public interest.*
- (17) The reason for Condition 55 is to ensure that the company keeps a proper inventory of waste on Site.*
- (18) The reason for Condition 58 is to ensure that all people involved in the handling and processing of waste are Competent People and shall receive refresher training at least once per year.*
- (19) The reasons for conditions 64 to 68 inclusive is to ensure that the company is inspecting its facility and operations properly and keeping proper records of the inspection and operations.*

(20) The reason for Condition 69 and 70 is to ensure the Company has an up-to-date environmental emergency plan for the preparation for, prevention of, response to and recovery from an environmental emergency. The use and operation of this Site without these Conditions would not be in the public interest.

(21) The reason for Condition 71 is to allow the Ministry to review and assess the operations and to ensure the Site is operated in accordance with the application and this Certificate and not in any manner which the Director has not been asked to consider.

(22) The reason for Condition 72 is to ensure that sufficient funds are available to the Ministry to clean up the Site in the event that the Company is unable or unwilling to do so. The use and operation of the Site without this Condition would not be in the public interest.

(23) The reason for Condition 73 is to ensure that the groundwater at the Site is monitored according to how the company informed the Ministry that it would be monitored.

(24) The reason for Condition 74 is to ensure that the Site is closed in accordance with Ministry standards and to protect the health and safety of the public and the environment.

This Provisional Certificate of Approval revokes and replaces Certificate(s) of Approval No. A341906 issued on May 21, 2004.

In accordance with Section 139 of the Environmental Protection Act, R.S.O. 1990, Chapter E-19, as amended, you may by written notice served upon me and the Environmental Review Tribunal within 15 days after receipt of this Notice, require a hearing by the Tribunal. Section 142 of the Environmental Protection Act, provides that the Notice requiring the hearing shall state:

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

The Notice should also include:

3. The name of the appellant;
4. The address of the appellant;
5. The Certificate of Approval number;
6. The date of the Certificate of Approval;
7. The name of the Director;
8. The municipality within which the waste disposal site is located;

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

This Notice must be served upon:

The Secretary*
Environmental Review Tribunal
655 Bay Street, 15th Floor
Toronto, Ontario
M5G 1E5

AND

The Director
Section 39, *Environmental Protection Act*
Ministry of the Environment
2 St. Clair Avenue West, Floor 12A
Toronto, Ontario
M4V 1L5

*** Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 314-4600, Fax: (416) 314-4506 or www.ert.gov.on.ca**

The above noted waste disposal site is approved under Section 39 of the Environmental Protection Act.

CONTENT COPY OF ORIGINAL

DATED AT TORONTO this 10th day of August, 2010

Tesfaye Gebrezghi, P.Eng.
Director
Section 39, *Environmental Protection Act*

JC/
c: District Manager, MOE Peterborough
Nyle C. McIlveen, P.Eng., Geo-Logic Inc.