

AMENDED ENVIRONMENTAL COMPLIANCE APPROVALNUMBER 0972-52HQJS
Issue Date: July 25, 2012

Integrated Municipal Services
3879 Thorold Townline Road
P.O. Box 100
Thorold, Ontario
L2V 3Y8

Site Location: IMS Residential Drop Off (closed West Quarry Landfill)
3879 Thorold Townline Road
Thorold, Regional Municipality of Niagara
L2V 3Y8

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

a 1.5 hectare waste transfer site (Residential Waste Drop-Off Centre) within a 12.9 hectare total site area, to be used for the transfer of the following types of waste: municipal waste (including white goods), and recyclable materials, serving residents and small businesses within the Regional Municipality of Niagara.

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

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

DEFINITIONS

- (a) "Act" and "EPA" mean the Environmental Protection Act, R.S.O. 1990, c. E.19, as amended.
- (b) "Approval" means this Environmental Compliance Approval and any Schedules to it, including the application and supporting documentation listed in Schedule "A".
- (c) "Compost" means the material produced by an aerobic composting process, which can be used as a soil additive and/or for other similar uses.
- (d) "Composting" means treatment of waste as defined by Ontario Regulation 347.
- (e) "Director" means one or more persons who from time to time are appointed under Section 5 of the Environmental Protection Act.
- (f) "District Manager" means the District Manager, MOE Niagara District Office.

- (g) "Leaf and yard waste" includes waste consisting of natural Christmas trees and other plant materials but not tree limbs or other woody materials in excess of 7 centimetres in diameter.
- (h) "Ministry" or "MOE" means the Ministry of the Environment.
- (i) "Owner" and "Operator" mean Integrated Municipal Services, including its officers, employees, agents or contractors.
- (j) "Regulation 347" means Ontario Regulation 347 - R.R.O. 1990, General - Waste Management, as amended, made under the EPA.
- (k) "Residual Waste" means waste that is destined for final disposal.
- (l) "Scavenging" means the uncontrolled removal of reusable material from waste at a waste disposal site.
- (m) "Site" means a 1.5 hectare waste transfer site (Residential Waste Drop-off Centre), located within a 12.9 hectare area of land as described in Item 2, Schedule "A".
- (n) "Trained" means knowledgeable regarding the terms, Conditions and requirements of this Approval, relevant environmental legislation and regulations, site operations, contingency plans and emergency procedures, including occupational health and safety and environmental concerns pertaining to the waste to be processed.
- (o) "white goods which contain refrigerants" means white goods which contain, or may contain refrigerants, and which include, but is not restricted to, refrigerators, freezers and air-conditioning systems.

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

TERMS AND CONDITIONS

General

1. Except as otherwise provided by these Conditions, the Site shall be designed, developed, used, maintained and operated, and all facilities, equipment and fixtures shall be built and installed, in accordance with the applications dated May 25, 2001, and the plans and specifications and supporting documentation listed in Schedule "A".
2. The requirements specified in this Approval are the requirements under the EPA. The issuance of this Approval in no way abrogates the Owner's legal obligations to take all reasonable steps to avoid violating other applicable provisions of the EPA and other legislation and regulations, including a Development Permit from the Niagara Escarpment Commission.
3. The requirements of this Approval are severable. If any requirement of this Approval, or the application of any requirement of this Approval to any circumstance, is held invalid, the application of such requirement to other circumstances and the remainder of this Approval shall not be affected in any way.
4. The Owner shall ensure compliance with all terms and Conditions of this Approval. Any non-compliance constitutes a violation of the EPA and is grounds for enforcement.

5. (a) The Owner shall, forthwith upon request of the Director, District Manager, or Provincial Officer (as defined in the EPA), furnish any information requested by such persons with respect to compliance with this Approval, including but not limited to, any records required to be kept under this Approval.
- (b) In the event the Owner provides the Ministry with information, records, documentation or notification in accordance with this Approval (for the purposes of this Condition referred to as "Information"):
- (i) the receipt of Information by the Ministry
 - (ii) the acceptance by the Ministry of the Information's completeness or accuracy
 - (iii) the failure of the Ministry to prosecute the Owner, or to require the Owner to take any action, under this Approval or any statute or regulation in relation to the Information
- shall not be construed as an approval, excuse or justification by the Ministry of any act or omission of the Owner relating to the Information, amounting to non-compliance with this Approval or any statute or regulation.
6. The Owner shall allow Ministry personnel, or a Ministry authorized representative(s), upon presentation of credentials, to:
- (a) carry out any and all inspections authorized by Section 156, 157 or 158 of the EPA, 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 Approval relates; and, without restricting the generality of the foregoing to:
 - (i) enter upon the premises where the records required by the Conditions of this Approval are kept
 - (ii) have access to and copy, at any reasonable time, any records required by the Conditions of this Approval
 - (iii) inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations required by the Conditions of this Approval
 - (iv) sample and monitor at reasonable times for the purposes of assuring compliance with the Conditions of this Approval
7. (a) Where there is a conflict between a provision of any document referred to in Schedule "A", and the Conditions of this Approval, the Conditions in this Approval shall take precedence.
- (b) Where there is a conflict between documents listed in Schedule "A", the document bearing the most recent date shall prevail.
8. The Owner shall ensure that all communications/correspondence made pursuant to this Approval include reference to the number of this Approval.
9. Any information relating to this Approval and contained in Ministry files may be made available to the public in accordance with the provisions of the Freedom of Information and Protection of Privacy Act, R.S.O. 1990, C. F-31.

10. All records and monitoring data required by the Conditions of this Approval shall be kept by the Owner for a minimum period of two (2) years.

Notifications

11. The Owner shall notify the Director in writing of any of the following changes within thirty (30) days of the change occurring:
- (i) change of Owner or Operator of the Site or both
 - (ii) change of address or address of the new Owner/Operator
 - (iii) change of partners where the Owner or Operator is or at any time becomes a partnership, and a copy of the most recent declaration filed under the Business Names Act, 1991 shall be included in the notification to the Director
 - (iv) any change of name of the corporation where the Owner or Operator is or at any time becomes a corporation, and a copy of the most current "Initial Notice or Notice of Change" (form 1 or 2 of Ontario 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
 - (v) change in directors or officers of the corporation where the Owner or Operator is or at any time becomes a corporation, and a copy of the most current "Initial Notice or Notice of Change" as referred to in 11(d) supra

Site Operations

12. The operation of this Site is limited to the receipt and transfer of municipal waste (including white goods), and recyclable materials, serving residents and small businesses within the Regional Municipality of Niagara.
13. (a) The total amount of waste accepted at the Site shall not exceed 300 tonnes per day.
(b) The total amount of residual waste stored on-site at any one time shall not exceed 300 tonnes.
14. In the event the waste cannot be transferred from the Site, the Owner shall cease accepting waste and shall ensure the total amount of waste on Site does not exceed the maximum quantities approved under Condition 13.
15. (a) The Site may receive waste Monday to Saturday only between the hours of 07:00 and 18:00 hours and shall be locked and secure during non-operating hours. Upon written request, hours of operation may be amended by the District Manager.
(b) A sign shall be posted in a prominent location at the Site entrance clearly stating the hours of operation and the Owner's name, staff contact names and telephone numbers to call in the event of an emergency.
16. (a) All access roads, parking areas, loading/unloading areas and access routes for fire fighting equipment, to waste and material storage and processing areas, shall be paved with asphalt or concrete.

- (b) An asphalt pad with block push walls along the back and one side, shall be located to the east of the offloading island, at a lower grade adjacent to the disposal bins, for offloading industrial and commercial waste. Staff shall ensure that waste is removed from the pad at the end of each working day.
17. Access to the Site shall be by roadway, which shall be closed by a locked gate during non-operating hours. The public drop-off area shall be within the fenced area of the Site to prevent the use of the drop-off area when the Site is closed and the gates are locked.
18. The Owner shall ensure that trained staff are on duty at all times when the Site is open to ensure proper supervision of all activities.
19. (a) Prior to being accepted at the Site, all incoming waste shall be inspected by the Owner, and shall only be permitted to enter the Site if the Site is approved to accept that type of waste.
(b) No pathological waste shall be received at the Site.
(c) No radioactive waste shall be received at the Site.
20. (a) The Site shall be operated in a secure manner, such that unauthorized persons cannot enter the Site.
(b) No scavenging of waste is permitted at the Site.
(c) No burning or incineration of any materials is permitted at the Site.
21. (a) All wastes (excluding compost feedstock, white goods, and oversized items) received at the Site shall be immediately stored in waste bins.
(b) The Owner shall post signs at each container or area designating the type of waste which may be stored therein.
(c) All waste bins shall be watertight and non-perforated, and placed on bermed impermeable asphalt or concrete containment pads.
(d) Waste containers shall be tarped when not in use.
(e) Any liquid which leaks from waste bins shall be immediately and appropriately cleaned. Any liquid resulting from the rinsing of waste bin containment pads shall be captured and disposed of in accordance with Regulation 347. The Owner shall ensure that such rinse-water does not enter any surface waterways.
22. (a) Material accepted at the Site destined as compost feedstock shall be restricted to leaf and yard waste only.
(b) The Owner shall ensure that the total duration of on-site plus off-site storage of compost feedstock, as described under Condition 22(a), is such that it does not exceed four (4) days before composting.
(c) Any runoff or leachate generated from the stored compost feedstock shall be collected and re-mixed with the compost feedstock so that it is ultimately used in the composting process. Such runoff or leachate shall not be discharged to the natural environment unless the discharge is in accordance with an approval under Section 53 of the Ontario Water Resources Act.

23. (a) The Owner shall maintain a detailed log of all white goods which contain refrigerants received. The log shall include the following: date of the record, types, quantities and source of white goods which contain refrigerants received, details on removal of refrigerants as required by Ontario Regulation 189, or as amended, and the quantities and destination of the white goods and/or refrigerants transferred from the Site.
- (b) White goods which contain refrigerants received on Site shall have the refrigerants removed by a licensed technician in accordance with Ontario Regulation 189, or as amended.
- (c) The Owner shall ensure that all white goods which contain refrigerants accepted at the Site, which have not been tagged by a licensed technician to verify that the equipment no longer contains refrigerant, are stored in an upright position and in such a manner to allow for the safe handling and removal of refrigerant.
24. All wastes generated at the Site shall be managed and disposed of in accordance with the Act and Regulation 347.
25. All putrescible wastes, excluding leaf and yard wastes that are destined for composting as described under Condition 22, shall be removed from the Site for final disposal within seventy-two (72) hours.

Spills and Emergency Response and Reporting

26. (a) All spills, fires, and upsets (including uncontrolled leachate and run-off from compost feedstock and waste bin containment pads) shall be immediately reported to the Ministry's Spills Action Centre at 1-800-268-6060 and shall be recorded in the log referred to in Condition 32 of this Approval as to the nature of the spill or upset, and the action taken for clean-up, correction and prevention of future occurrences.
- (b) The Owner shall immediately take all measures necessary to contain and clean up any spill, leak, and uncontrolled leachate and run-off which may result from the operation of the Site.

Contingency Plans

27. (a) The Owner shall ensure that a Spill Contingency and Emergency Response Plan specific to the Site, has been developed and submitted to the District Manager, the local Municipality and the Fire Department.
- (b) The Owner shall ensure the most recent update of the Spill and Emergency Response Plan is kept on the Site at all times, in a prominent location available to all staff.
- (c) The Owner shall ensure that copies of any updates to the Spill Contingency and Emergency Response Plan are submitted to the District Manager, the local Municipality, and the Fire Department immediately an update is made.
- (d) The Owner shall ensure that the contingency equipment and materials outlined in the Spill Contingency and Emergency Response Plan are immediately available on the Site at all times, in a good state of repair, and fully operational.

- (e) The Owner shall ensure that all operating personnel are fully trained in the use of the contingency equipment and related materials, and in the procedures to be employed in the event of an emergency.
- (f) The Spill Contingency and Emergency Response Plan shall include, but is not limited to the following:
 - (i) emergency response procedures to be undertaken in the event of a spill or process upset, including specific clean up methods for each individual waste
 - (ii) a list of contingency equipment and spill clean up materials, including names and telephone numbers of waste management companies available for emergency response
 - (iii) procedures to be followed if wastes, unauthorized by this Approval, are received at the Site
 - (iv) a notification protocol, with names and telephone numbers of persons to be contacted, including Owner personnel, the Ministry of the Environment Spills Action Centre and District/Area Office, the local Fire and Police Departments, the local Municipality, the local Medical Officer of Health, and the Ministry of Labour
- (g) The Owner shall ensure that the names and telephone numbers of the persons to be contacted as required under Condition 27(f) are up-to-date, and that these numbers are prominently displayed and immediately available to all staff and emergency response personnel.

Staff Training

- 28. (a) The Owner shall ensure that operators at the Site have been trained in following:
 - (i) the terms, Conditions and operating requirements of this Approval
 - (ii) the operation and management of the Site, including procedures for receiving, screening, refusing, handling, storing, and transfer of waste
 - (iii) any environmental and occupational health & safety concerns pertaining to the Site and wastes to be transferred/processed
 - (iv) Site plan including exit locations, location of relevant equipment, including that for emergencies and spills
 - (v) relevant waste management legislation and Regulations under the EPA and Ontario Water Resources Act
 - (vi) record keeping procedures as required under Condition 32
 - (vii) Equipment and Facility Inspection procedures, as required under Condition 29
 - (viii) Nuisance Impact Control procedures, as required under Condition 31
 - (ix) Spills, Contingency, and Emergency response procedures, as required under Conditions 26 and 27
 - (x) procedures for recording and responding to public complaints as required under Condition 30
 - (xi) procedures to be followed in the event that wastes, unauthorized by this Approval, are received at the Site
- (b) The Owner shall maintain a written record at the Site, which may be in the form of a log-book, which includes:
 - (i) date of training

- (ii) name and signature of person who has been trained
- (iii) description of the training provided

Equipment and Facility Inspection

29. The Owner shall conduct regular inspections of the equipment and facilities, including security fencing and locks, to ensure that all equipment and facilities, including road/access ways, at the Site are maintained in good working order at all times. Any deficiencies detected during these regular inspections shall be promptly corrected. A written record shall be maintained at the Site, which includes the following:
- (i) name and signature of trained personnel conducting the inspection
 - (ii) date and time of the inspection
 - (iii) list of equipment inspected and all deficiencies observed
 - (iv) a detailed description of the maintenance activity
 - (v) date and time of maintenance activity
 - (vi) recommendations for remedial action and actions undertaken

Complaint Response Procedure

30. If at any time, the Owner receives complaints regarding the operation of the Site, the Owner shall respond to these complaints according to the following procedure:
- (i) The Owner shall record each complaint on a formal complaint form entered in a sequentially numbered log book. The information recorded shall include the nature of the complaint, the name, address and the telephone number of the complainant and the time and date of the complaint.
 - (i) The Owner, upon notification of the complaint shall initiate appropriate steps to determine all possible causes of the complaint, proceed to take the necessary actions to eliminate the cause of the complaint and forward a formal reply to the complainant.
 - (i) The Owner shall retain on-site a report written within one (1) week of the complaint date, listing the actions taken to resolve the complaint and any recommendations for remedial measures, and managerial or operational changes to reasonably avoid the re-occurrence of similar incidents.

Nuisance Impact Control

31. (a) The Owner shall conduct, on each operating day, a visual inspection of the Site, including transfer and storage areas, containment pads located underneath waste disposal bins, compost feedstock pad, road/access ways, and security fencing and property line, to ensure the Site is secure and that no off-site impacts such as vermin, vectors, odour, dust, litter, noise and traffic, result from the operation of the Facility.
- (b) If at any time, problems such as dust, odours, vectors, vermin, birds or other nuisances are generated at the Site, the Owner shall take appropriate, immediate remedial action to eliminate the problem. Use of pesticides to control vermin on the Site shall be carried out in accordance with the Pesticides Act, R.S.O. 1990, or as amended.
- (c) A written record shall be maintained at the Site, which includes the following:

- (i) name and signature of trained personnel conducting the inspection
- (ii) date and time of the inspection
- (iii) list of any nuisance impacts observed
- (iv) date, time and detailed description of remedial action taken in order to control the nuisance
- (v) recommendations for any preventative measures that can be taken to prevent future reoccurrences

Record Keeping

32. The Owner shall maintain, on-site, a log book or electronic file, which records daily, the following information:
- (i) date of record for each record
 - (ii) types, quantities (in tonnes) and sources of waste received
 - (iii) quantities (in tonnes) and destination of each type of waste, compost feedstock, and recyclable material, generated from the Site, as applicable
 - (iv) records of nuisance impacts and controls, as required under Condition 31
 - (v) white goods which contain refrigerants records, as required under Condition 23
 - (vi) Equipment and Facility Inspections records, as required under Condition 29
 - (vii) records of all spills, fires, upsets or other problems encountered during the operation of the Site and action(s) taken to remediate the problem, as required under Condition 26
 - (viii) records of complaints and responses, as required under Condition 30
 - (ix) records of staff training, as required under Condition 28

Annual Report

33. By March 31 on an annual basis, the Owner shall prepare and submit for the approval of the District Manager, an annual report for the previous year. Each report shall include, but is not limited to, the following information:
- (i) monthly and yearly summaries of the items listed under Condition 32
 - (ii) any environmental and operational problems, that could negatively impact the environment, encountered during the operation of the above Facilities and during the Facilities inspections and any mitigative actions taken
 - (iii) a statement as to compliance with all Conditions of this Approval and with the inspection and reporting requirements of the Conditions herein that pertains to the operation of the above Facilities
 - (iv) any recommendations to minimize environmental impacts from the operation of each of the above Facilities and to improve the Facilities operations and monitoring programs in this regard

Financial Assurance

34. (a) The Owner shall maintain the Financial Assurance as defined in Section 131 of the *Act*, for the amount of \$23,793.50. This Financial Assurance shall be in a form acceptable to the Director and shall provide sufficient funds for the analysis, transportation, Site clean-up,

- monitoring and disposal of all quantities of waste on the Site at any one time.
- (b) Commencing on March 31, 2015 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 34(a). The re-evaluation shall include an assessment based on any new information relating to the environmental conditions of the Site and shall include the costs of additional monitoring and/or implementation of contingency plans required by the Director upon review of the closure plan and annual reports. The Financial Assurance must be submitted to the Director within twenty (20) days of written acceptance of the re-evaluation by the Director.
 - (c) Commencing on March 31, 2013, the Owner shall prepare and maintain at the Site an updated re-evaluation of the amount of Financial Assurance required to implement the actions required under Condition 34(a) for each of the intervening years in which a re-evaluation is not required to be submitted to the Director under Condition 34(b). The re-evaluation shall be made available to the Ministry, upon request.
 - (d) 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.

Closure Plan

- 35. (a) The Owner shall submit, for approval by the Director, a detailed, written Closure Plan for the Site six (6) months prior to closure of the Site. This plan shall include, as a minimum, a description of the work that will be done to facilitate closure of the Site and a schedule for completion of that work.
- (b) Within ten (10) days following closure of the Site, the Owner shall notify the Director, in writing, that the Site is closed and that the Closure Plan has been implemented.

SCHEDULE "A"

1. Application and supporting information dated May 25, 2001, submitted by Integrated Municipal Services Inc., and signed by Mike Watt, to the Ministry of the Environment, for the establishment of a waste transfer facility (Residential Waste Drop-Off).
2. Letter, dated July 24, 2001, to Janet Templeton, Integrated Municipal Services Inc., from S. Holloway, MOE, requesting further information regarding Design & Operation Report, and Financial Assurance calculation.
3. Letter and supporting documentation, dated August 15, 2001, from Janet Templeton, Integrated Municipal Services Inc., to S. Holloway, MOE, providing further information and Financial Assurance estimate.
4. Facsimile, transmitted September 4, 2001, from Janet Templeton, Integrated Municipal Services

- Inc., to S. Holloway, MOE, providing copy of Notice of Decision from the Niagara Escarpment Commission for conditional approval of a Development Permit.
5. Letter, dated September 12, 2001, to Janet Templeton, Integrated Municipal Services Inc., from S. Holloway, MOE, requesting confirmation of method notification to Niagara-on-the-Green residents and re-calculation of Financial Assurance.
 6. Facsimile, dated September 17, 2001, from Janet Templeton, Integrated Municipal Services Inc., to S. Holloway, MOE, providing draft copy of neighbour notification letter.
 7. Letter, dated October 9, 2001, from Janet Templeton, Integrated Municipal Services Inc., to S. Holloway, MOE, providing further information including final draft of neighbour notification letter and circulation method, and re-calculation of financial assurance.
 8. Letter, dated October 15, 2001, from Janet Templeton, Integrated Municipal Services Inc., to Barb Ryter, MOE, and copied to S. Holloway, MOE, attaching final Site Plan required in order to meet conditions for Niagara Escarpment Commission Development Permit.
 9. Letter, dated October 26, 2001, from Janet Templeton, Integrated Municipal Services Inc., to S. Holloway, MOE, which includes clarification of scope of recycling program, and proposed road/access construction materials.
 10. Facsimile, transmitted November 9, 2001, from Janet Templeton, Integrated Municipal Services Inc., to S. Holloway, MOE, providing a copy of Niagara Escarpment Commission Development Permit 7396/N/W/01-02/14, dated November 2, 2001.
 11. Facsimile, transmitted November 14, 2001, from Janet Templeton, Integrated Municipal Services Inc., to S. Holloway, MOE, requesting that paving of access roads/areas may take place by July 2002, and outlining interim maintenance procedures.
 12. Facsimile, transmitted November 15, 2001, from Janet Templeton, Integrated Municipal Services Inc., to S. Holloway, MOE, confirming concurrence with draft conditions and clarifying facility inspection procedures.
 13. Application for a Provisional Certificate of Approval for a Waste Disposal Site dated June 14, 2002 signed by Larry Oates, P. Eng.
 14. Cover letter dated June 14, 2002 from Larry Oates, P. Eng., Integrated Municipal Services Inc., to MOE, enclosing the application.
 15. Application for an amendment from Integrated Municipal Services, signed by Alison Braithwaite, Director, Environmental Performance, dated February 14, 2003 requesting that Condition 21(c) be removed and to increase the number of storage bins used on-site from eight (8) to twelve (12).

16. Letter from Alison Braithwaite, Director, Environmental Performance, Integrated Municipal Services, to Caryn MacLoghlin, Application Processor, MOE, Re: Application to Amend Certificate of Approval No. 0972-52HQJS, including attached notice of issuance of municipal address from John LaVigna, Engineering Technician, City of Thorold.
17. Application for an Environmental Compliance Approval for a Waste Disposal Site signed by Scott Hurley, Integrated Municipal Services, dated March 6, 2012.

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

The reason for Conditions 1, 32 and 33 is to ensure that the Site is operated in accordance with the application and supporting documentation submitted by the Owner, and not in a manner which the Director has not been asked to consider.

The reason for Conditions 2, 3, 6, 7, 8, 9, 10 and 11 is to clarify the legal rights and responsibilities of the Owner.

The reason for Conditions 4 and 5 is to ensure that the appropriate Ministry staff have ready access to information and the operations of the Site which are approved under this Approval. Condition 5 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.

The reason for Conditions 12, 13, 14 and 19 is to ensure that the types and quantities of waste received at the Site are in accordance with that approved under this Approval.

The reason for Conditions 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 29 and 31 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.

The reason for Condition 26 is to ensure that staff are to notify the Ministry forthwith of any spills as required in Part X of the Act so that appropriate spills response can be determined.

The reason for Condition 27 and 28 is to ensure that staff are properly trained in the operation of the equipment used at the Site and emergency response procedures. This will minimize the possibility of spills occurring and will enable staff to deal promptly and effectively with any spills that do occur.

The reason for Condition 30 is to ensure that complaints are properly and quickly resolved, and that the complaints and follow-up actions have been documented.

The reason for Condition 34 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 reason for Condition 35 is to ensure the Site is closed in accordance with Ministry standards and to protect the health and safety of the environment.

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 0972-52HQJS issued on November 16, 2001

In accordance with Section 139 of the Environmental Protection Act, 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 environmental compliance approval or each term or condition in the environmental compliance 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

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

The Notice should also include:

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

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

This Notice must be served upon:

The Secretary*
Environmental Review Tribunal
655 Bay Street, Suite 1500
Toronto, Ontario
M5G 1E5

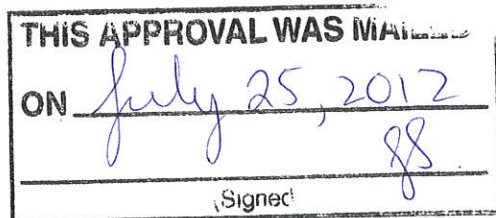
AND


The Director appointed for the purposes of
Part II.1 of the 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) 212-6349, Fax: (416) 314-4506 or www.ert.gov.on.ca**

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

DATED AT TORONTO this 25th day of July, 2012





Tesfaye Gebrezghi, P.Eng.

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

RL/
c: District Manager, MOE Niagara
Scott Hurley, Integrated Municipal Services ✓
Martin Kilian, Niagara Escarpment Commission

