

Ministry of the Environment

Environmental Assessment and
Approvals Branch

2 St. Clair Avenue West
Floor 12A
Toronto ON M4V 1L5
Tel.: 416 314-8001
Fax: 416 314-8452

Ministère de l'Environnement

Direction des évaluations et des
autorisations environnementales

2, avenue St. Clair Ouest
Étage 12A
Toronto ON M4V 1L5
Tél. : 416 314-8001
Télééc. : 416 314-8452



April 6, 2011

Scott Hurley, Environmental Specialist
Norjohn Transfer Systems Limited
Post Office Box, No. 100
Niagara Falls, Ontario
L2V 3Y8

Dear Sir/Madam:

**Re: Application for Approval of Waste Disposal Sites
FA re-evaluation under condition 29(b)
Burlington City, Regional Municipality of Halton
MOE Reference Number 1372-8EBJJ3**

In regards to your re-evaluation of Financial Assurance dated February 18, 2011 the Ministry of the Environment ("MOE") has reviewed the submission and has determined that the amount of CAD\$67,000 currently held by the MOE is acceptable.

Please be advised that pursuant to Condition 28 (b) of the Provisional Certificate of Approval No. A210114, you are required to submit your next Financial Assurance re-evaluation by April 30, 2011 to the Director (Environmental Assessment and Approvals Branch, MOE) with copies to the Halton-Peel District Manager, MOE. For your next re-evaluation, please use the most recent version of the Financial Assurance Guideline (Guideline F-15), which is accessible on the MOE website.

The MOE has amended your Provisional Certificate of Approval to incorporate the previous amendments to your Certificate. This Amended Provisional Certificate of Approval issued on April 5, 2011 shall replace the existing Provisional Certificate of Approval and any amendments and notices. Please be aware that Conditions 14 and 17 (b) have been amended and conditions 18 (a) and 18 (b) have been revoked.

If you have any questions regarding the above, please contact me at 416-314-6407.

Yours truly,

A handwritten signature in cursive script that reads "L. Guichelaar". The signature is written in black ink and is positioned above the printed name.

Lucie Guichelaar
Waste Evaluator

c: District Manager, MOE Halton-Peel
Scott Hurley, Walker Industries Holding Ltd. ✓

AMENDED PROVISIONAL CERTIFICATE OF APPROVAL
WASTE DISPOSAL SITE
NUMBER A210114
Issue Date: April 5, 2011

Norjohn Transfer Systems Limited
Post Office Box, No. 100
Niagara Falls, Ontario
L2V 3Y8

Site Location: 5030 Mainway, Units 10 & 11
City of Burlington, Regional Municipality Of Halton
L7L 5Z1

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

a Waste Disposal Site (Transfer)

to be used for the transfer of solid non-hazardous wastes (industrial, commercial, institutional and domestic)

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

1. DEFINITIONS

- (a) "**Act**" means the Environmental Protection Act, R.S.O. 1990, C. E-19 as amended;
- (b) "**Certificate**" means this Provisional Certificate of Approval for a Waste Disposal Site including Schedule A, issued in accordance with Part V of the Act;
- (c) "**Company**" and "**Owner**" means Norjohn Transfer Systems Limited;
- (d) "**Director**" means any Ministry employee appointed in writing by the Minister pursuant to Section 5 of the Act as a Director for the purposes of Part V of the Act.
- (e) "**District Manager**" means the District Manager, Halton-Peel District Office, Ontario Ministry of the Environment;
- (f) "**Ministry**" and "**MOE**" means the Ontario Ministry of the Environment.

(g) "**Regional Director**" means the Regional Director of Central Region of the Ontario Ministry of the Environment; and

(h) "**Site**" means the operation being approved under this Amended Provisional Certificate of Approval, located at part of Lot 5, Concession 2, 5030 Mainway Road, Units 10 & 11, Burlington, Ontario.

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

TERMS AND CONDITIONS

2. Except as otherwise provided by these Conditions, the *Site* shall be designed, developed, and used, maintained and operated and all facilities, equipment and fixtures shall be built and installed in accordance with the application for this *Certificate*, dated March 31, 1988, November 28, 1991, November 1, 1993, March 18, 1994, January 11, 1995, April 23, 1996, April 9, 1998, May 28, 2007 and February 22, 2011, and the plans and specifications listed in Schedule "A".

3. Where there is a conflict between a provision of any document referred to in Condition (2) and the Conditions of this *Certificate*, the Conditions in this *Certificate* shall take precedence.

4. Requirements specified in this *Certificate* are the requirements under the *Act*. Issuance of this *Certificate* in no way abrogates the *Company's* legal obligations to take all reasonable steps to avoid violating other applicable provisions of the *Act* and other legislation and regulations and to obtain any other approvals required by legislation.

5. Requirements of this *Certificate* are severable. If any requirement 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 thereby.

6. 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.

7. The *Company* shall ensure that all communications/correspondence made pursuant to this *Certificate* reference the *Site* number (A210114).

8. The *Company* shall notify the *Regional Director* in writing of any of the following changes within thirty (30) days of the change occurring:

(a) (i) change of *Owner* or operator of the *Site* or both;

(ii) change of address or address of the new *Owner* ;

(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 *Regional Director* ;

(iv) any change of name of the corporation where the *Owner* or operator is or at any time becomes a corporation, a copy of the most current "Initial Notice or Notice of Change" (form 1 or 2 of O.Reg. 182, Chapter C-39, R.R.O. 1990 as amended from time to time), filed under the Corporations Information Act shall be included in the notification to the *Regional Director* ; and

(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 8(a)(iv), supra;

(b) 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 *Certificate* , and a copy of such notice shall be forwarded to the *Regional Director* .

9. 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, as amended, 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 *Certificate* relates; and,

without restricting the generality of the foregoing to:

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

(ii) have access to and copy, at any reasonable time, 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* .

10. (a) The *Company* shall, forthwith upon request from the *Regional Director* , *District Manager* , or Provincial Officer (as defined in the *Act*), 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.

11. Any information relating to this *Certificate* and contained in the *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, as amended from time to time.

12. All records and monitoring data required by the Conditions of this *Certificate* must be kept on the *Site* for a minimum period of at least two (2) years.

SITE OPERATIONS

13. The *Company* shall ensure that waste is only accepted at the *Site* between the hours of 6:00 a.m. and 6:00 p.m. Monday through Saturday.

14. Only solid non-hazardous wastes (industrial, commercial, institutional and domestic) may be received at the *Site*.

15. The total amount of material stored on-site at any time, shall not exceed 1,000 tonnes.

16. Incoming waste shall be inspected by trained personnel prior to being accepted at the *Site* to ensure that the *Site* is approved to accept that types of waste.

17. (a) All activities, relating to the unloading/loading and storage of incoming waste materials and residual waste destined for final disposal, must be conducted indoors at all times; and

(b) All waste accepted on-site, shall be stored indoors and shall not remain on-site for a period longer than 96 hours from the time of receipt at the *Site*.

18.(a) Contingency plans shall be kept at the *Site*. Contingency plans shall address, as a minimum, the receipt of waste not approved under this *Certificate* and disruptions of the removal of waste or materials from the *Site*; and

(b) In the event that incoming waste is not able to be transferred, the *Company* shall cease to accept incoming waste when the total amount of waste stored at the *Site* reaches the maximum allowable quantities as specified in Conditions (15) and (17).

19. An emergency response plan shall be kept at the *Site*. The emergency response plan shall address emergencies caused by fire, explosion, spills or flood. The plan shall include, as a minimum:

- (i) descriptions of the procedures to be used;
- (ii) information about the personnel who will be responsible;
- (iii) descriptions of the emergency equipment and emergency communications systems; and
- (iv) plans for notifying the appropriate agencies and other persons, as necessary and/or required by legislation, and co-ordinating operations with them.

(b) All spills and upsets shall be immediately reported to the *Ministry's* Spills and Action Centre at (416) 352-3000 or 1-800-268-6060 and shall be recorded in the log, referred to in Conditions (27) of this *Certificate*, as to the nature of the spill or upset and the action taken for clean-up, correction and prevention of future occurrences.

20. Staff shall be trained in their specific responsibilities as they relate to the operation and maintenance of the specific equipment which they operate at the *Site*, in contingency plan procedures and in emergency response procedures.

21. All wastes must be transported to and from the *Site* in accordance with the requirements of the Environmental Protection Act, R.S.O. 1990 and Ontario Regulation 347, R.R.O. 1990.

22. (a) The *Company* shall ensure that the *Site* is not operated unless all air approvals under Section 9 of the *Act*, where applicable, have been obtained; and

(b) At no time is burning or incineration of any materials at the *Site* permitted under this *Certificate*.

23. The *Site* must be maintained in a secured manner, such that unauthorized persons can not enter the *Site*.

24. The *Company* shall ensure that trained personnel conduct daily inspections of the equipment and *Site* to ensure the *Site* is being operated in accordance with this *Certificate*. The *Company* shall forthwith remedy any malfunction and/or deficiency, which may cause negative environmental problems, which these inspections reveal.

25. The *Company* must ensure that the *Site* is operated in a manner which minimizes the impacts of odour, dust, litter, noise and traffic on the environment and the public.

26. (a) Discharge to any municipal sewer system must be in compliance with applicable Municipal Sewer Use By-Law(s); and

(b) The tipping floor shall be cleaned following each day's operation and shall be disinfected as necessary.

RECORD KEEPING

27. A daily written record or hard copy shall be maintained at the *Site* which includes:

- (a) the type, amount (tonnes) and sources of wastes accepted at the *Site*;
- (b) the types and amount (tonnes) of waste transferred from the *Site* and the estimations to which they were transferred;
- (c) the total amount (tonnes) of waste on-site; and
- (d) any significant problems occurring during the operation of the *Site* and/or that were encountered during the *Site* inspection as required in Condition (25) and any actions that were taken in response to such problems.

FINANCIAL ASSURANCE

28. (a) The *Company* shall maintain with the *Ministry* , Financial Assurance as defined in Section 131 of the EPA, in the amount of sixty-seven thousand dollars (\$67,000.00). This Financial Assurance shall be in a form acceptable to the *Director* and shall provide sufficient funds for the transportation, *Site* clean-up and disposal of all quantities of waste on the *Site* at any one time.

(b) Commencing on April 30, 2014 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 28(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 April 30, 2012, 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 28(a) for each of the intervening years in which a re-evaluation is not required to be submitted to the *Director* under Condition 28(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

29. (a) The *Company* must update a Closure Plan for the *Site* in the Annual Report in accordance with Condition 29(c). This plan must include, as a minimum, a description of the work that would be done to close the *Site* , and a schedule for completion of that work;

(b) Within ten (10) days of permanent closure of the *Site* for receipt of waste, the *Company* must notify the *District Manager*, in writing, that the *Site* is no longer receiving waste and that the *Site* Closure Plan is being implemented; and

(c) Within thirty (30) days of completion of the *Site* closure, the *Company* must submit to the *District Manager*, a written report detailing the specific work undertaken in accordance with the *Site* Closure Plan.

ANNUAL REPORT

30. Commencing on March 31, 1997, and on an annual basis thereafter, the *Company* shall prepare and keep available at the *Site* an annual report for the previous calendar year. Each report shall include, as a minimum, the following information:

(a) a summary of the type and amount of wastes that were accepted and the type of amount of wastes transferred;

(b) any significant negative environmental and operational problems encountered during the operation of the *Site* and during the facility inspections and any mitigative actions taken;

(c) an update of a Closure Plan in accordance with Condition 29(a).

31. The *Company* may extend the operating hours of the *Site* to 7:00 p.m. on Thursdays, in accordance with the contingency plan listed as Item (21) of Schedule "A".

SCHEDULE "A"

This Schedule "A" forms part of the *Certificate*.

1. A report entitles Norjohn Ltd., Proposed Solid Waste Transfer Station, Appleby Line/Mainway, City of Burlington, Supporting Documentation for Certificate of Approval, Proctor & Redfern Ltd., march 31, 1988.
2. Building Location Plan, Norjohn Ltd., Waste Transfer Facility, R.E. Winter & Assoc. Ltd., March 14, 1988.
3. A letter dated April 18, 1988 to Lyle parsons, Ministry of the Environment from Mr. Jim Cruickshank, Manager, Niagara Waste Systems Limited and attachements including Floor Plan Drawings dated April, 1988.
4. Application for a Waste Disposal Site (Transfer) and supporting information, dated November 28, 1991.
5. Letter from John R. MacKay, Norjohn Transfer Systems Limited, to Robert Adcock, MOE, dated July 29, 1992.
6. Letter from John R. MacKay, Norjohn Transfer Systems Limited, to Robert Adcock, MOE, dated August 19, 1992.
7. Letter dated November 1, 1993 from John MacKay, Manager, Norjohn Transfer Systems Limited to Geoff

Carpentier, MOE re: Amendment to Provisional Certificate of Approval A210114, including attached Application for a Certificate of Approval for a Waste Disposal Site (Processing) dated November 1, 1993 and supporting information.

8. Letter to Geoff Carpentier, MOEE from Archie Reynolds, Norjohn Transfer Systems Limited, requesting an amendment to Provisional Certificate of Approval No. A210114, dated March 18, 1994.
9. Waste Disposal Site (Transfer) Application and fee for an amendment to Provisional Certificate of Approval A210114, from Archie Reynolds, Norjohn Transfer Systems Limited, to MOEE, dated January 11, 1995.
10. Copy of letter to Archie Reynolds, Norjohn Transfer Systems Limited, from Geoff Carpentier, MOEE, acknowledging receipt of the application for Waste Disposal Site (Transfer) and fee, dated January 31, 1995.
11. Facsimile from Toni Lepp, Norjohn Transfer Systems Limited, to Karleen Francis, MOEE, giving reasons why the amendment should not be subject to EBR registry, dated January 30, 1995.
12. Facsimile from T. Dobbie, City of Burlington, to Karleen Francis, MOEE, acknowledging notification of the neighbours, dated January 31, 1995.
13. Facsimile from Archie Reynolds, Norjohn Transfer Systems Limited, to Karleen Francis, MOEE, confirming that there is no change to the current process of handling and transferring of waste materials on Site, dated January 31, 1995.
14. Covering letter to Geoff Carpentier, MOEE from Archie Reynolds, enclosing an application (dated April 23, 1996) to amend Provisional Certificate of Approval No. A210114 and supporting documentation, dated April 22, 1996.
15. Letter to Geoff Carpentier, MOEE from Alison Braithwaite, Norjohn Transfer Systems Limited, attaching fee for Certificate amendment, dated April 30, 1996.
16. Copy of letter to Alison Braithwaite, Norjohn Transfer Systems Limited from Geoff Carpentier, MOEE, acknowledging fee and application, dated May 14, 1996.
17. Copies of letters to the Clerks of the City of Burlington and the Regional Municipality of Peel requesting comments regarding the request for amendment by Norjohn Transfer Systems Limited, dated July 9, 1996.
18. Facsimile to Angela Wandinger, MOEE from Alison Braithwaite, Norjohn Transfer Systems Limited, enclosing additional supporting documentation, dated July 9, 1996.
19. Letter to John Budz, MOEE from Douglas C. Brown, Acting City Manager, providing municipal comments, dated July 15, 1996.
20. Covering letter to Geoff Carpentier, MOEE from Pat Crimmins, Regional Municipality of Halton, enclosing Council comments, dated August 15, 1996.

21. Letter from Victor Lesnicki, Director, Waste Management Services, The Regional Municipality of Halton to J.Budz, District Manager, Halton-Peel District Office, MOE, dated April 9, 1998 re: Emergency Certificate of Approval.
22. Application for a Provisional Certificate of Approval for a Waste Disposal Site dated May 28, 2007 and signed by Alison Braithwaite, Director of Environmental Performance, including the attached cover letter dated May 25, 2007 and the attached Figure 1 and Figure 2 showing the new facility configuration.
23. Part B only of Norjohn Transfer Systems Limited Annual 2007 report, entitled: "Part B-Revaluation of Financial (sic) Assurance" (1 sheet), and submitted to the District Office, Halton-Peel, Ministry of the Environment.
24. Letter to Joseph P. Lyng, Norjohn Transfer Systems Limited, dated May 27, 2008 from Francis Chang, P. Eng., Senior Review Engineer - Waste, Ministry of the Environment. Re: MOEE Reference No. 5091-&DGGQ6.
25. Letter to Francis Chang, P. Eng., MOE, dated June 16, 2008 from Leslie Pietrobon, Environmental Communications Coordinator, Norjohn Transfer Systems Limited. Re: Financial Assurance Re-evaluation.
26. Memorandum to Leslie Pietrobon, Environmental Communications Coordinator, Norjohn Transfer Systems Limited, dated June 18, 2008 from Francis Chang, P. Eng., Senior Review Engineer - Waste, MOE. Re: DRAFT Amendment to Certificate of Approval No. A210114.
27. Electronic mail to Francis Chang, P. Eng., MOE, dated June 20, 2008 from Leslie Pietrobon, Environmental Communications Coordinator, Norjohn Transfer Systems limited. Re: Changes to DRAFT Amendment to Certificate of Approval No. A210114.
28. Memorandum to Leslie Pietrobon, Environmental Communications Coordinator, Norjohn Transfer Systems Limited, dated June 20, 2008 from Francis Chang, P.Eng., Senior Review Engineer - Waste, MOE. Re: DRAFT Amendment to Certificate of Approval No. A210114.
29. Electronic mail to Francis Chang, P. Eng., MOE, dated June 26, 2008 from Leslie Pietrobon, Environmental Communications coordinator, Norjohn Transfer Systems Limited. Re: Approval of DRAFT Amendment to Certificate of Approval No. A210114.
30. Application for Approval of Waste Disposal Sites FA re-evaluation under condition 29(b) submitted to the MOE received on February 22, 2011 from Scott Hurley, Environmental Specialist, Norjohn Transfer Systems Limited.
31. Email dated March 24, 2011 [3:44 PM] from Scott Hurley, Environmental Specialist, Norjohn Transfer Systems Limited to Lucie Guichelaar, Waste Evaluator, MOE, re: CofA A210114 Condition 29(b) - Financial Assurance Re-Evaluation.

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

1. *The reason for Condition 1 is to simplify the wording of the subsequent conditions and define the specific meaning of the terms as used in the Certificate.*
2. *The reason for Conditions 2, 12, 21, 22, 27 and 30 is to ensure that the Site is operated in accordance with the application and supporting information submitted by the Company, and not in a manner which the Director has not been asked to consider.*
3. *The reason for Conditions 3, 4, 5, 6, 7, 8, 10 and 11 is to clarify the legal rights and responsibilities of the Company.*
4. *The reason for Condition 9 is to ensure that the appropriate Ministry staff have ready access to the operations of the Site which are approved under this Certificate. The 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.*
5. *The reason for Conditions 14 and 15 is to ensure that the types and amounts of waste received at the Site are in accordance with that approved under this Certificate.*
6. *The reason for Conditions 13, 16, 17, 18, 19, 23, 24, 25 and 26 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.*
7. *The reason for Condition 20 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.*
8. *The reason for Condition 28 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.*
9. *The reasons for condition 29 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.*
10. *The reason for Condition 31 was to extend the operating hours of the facility to ensure that waste is properly managed during the labour disruption at the Regional Municipality of Halton. This is necessary to protect the health and safety of people and the environment.*

This Provisional Certificate of Approval revokes and replaces Certificate(s) of Approval No. A210114 issued on September 18, 1996, as amended.

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

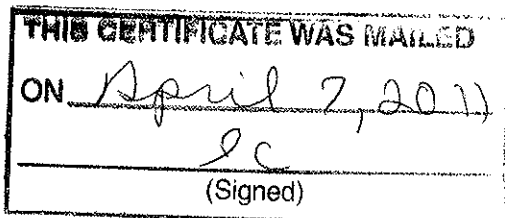
AND

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.

DATED AT TORONTO this 5th day of April, 2011



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

LG/

c: District Manager, MOE Halton-Peel
Scott Hurley, Walker Industries Holding Ltd. ✓



AMENDMENT TO ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER A210114

Notice No. 1

Issue Date: February 6, 2015

Walker Environmental Group Inc.
Post Office Box, No. 100
Thorold, Ontario
L2V 3Y8

Site Location: Norjohn Transfer Station
5030 Mainway, Units 10 & 11
Burlington City, Regional Municipality Of Halton
L7L 5Z1

You are hereby notified that I have amended Approval No. A210114 issued on April 5, 2011 for a Waste Disposal Site (Transfer) to be used for the transfer of solid non-hazardous wastes (industrial, commercial, institutional and domestic) , as follows:

I. For the purpose of this amendment, the following definitions apply:

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

"Company " and "Owner " means any person that is responsible for the establishment or operation of the Site being approved by this Approval , and includes Walker Environmental Group Inc., its successors and assigns;

"Director " means any Ministry employee pursuant to section 20.3 of Part II.1 of the EPA ;

II. The following conditions are hereby revoked and replaced with:Financial Assurance

28. (a) Within twenty (20) days of issuance of this notice the Owner shall submit to the Director, Financial Assurance, as defined in Section 131 of the EPA, for the additional amount of **\$9,870.00** for the total Financial Assurance of **\$76,870.00**. 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 materials on the Site at any one time;

- (b) Commencing on March 31, 2018 and at intervals of three (3) years thereafter, the Company shall submit to the Director, a re-evaluation of the amount of Financial Assurance to implement the actions required under Condition 28(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 shall be submitted to the Director within twenty (20) days of written acceptance of the re-evaluation by the Director;
- (c) Commencing on March 31, 2016, the Company 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 28(a) for each of the intervening years in which a re-evaluation is not required to be submitted to the Director under Condition 28(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.

III. The following documents are hereby added to Schedule "A":

- 32. Letter dated April 30, 2014 from Wes Foebel, Team Leader Environmental Performance, Norjohn Transfer Systems Limited, Re:Environmental Compliance Approval (ECA) No. A210114, Condition 28 (b) Financial Assurance Re-evaluation, including attached Financial Assurance Re-evaluation & Closure Plan including calculated costs and all supporting information.
- 33. Email dated February 4, 2015 from Lesley Clarke, Environmental Performance Lead, Walker Environmental Group Inc., including comments on draft notice.

The reason for this amendment to the Approval is as follows:

The reason for Condition 28 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.

This Notice shall constitute part of the approval issued under Approval No. A210114 dated April 5, 2011.

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

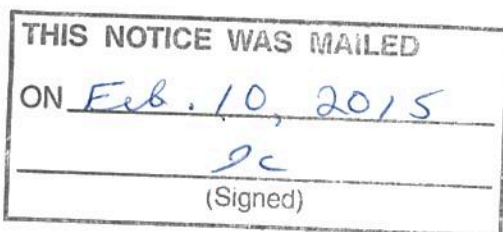
AND

The Director appointed for the purposes of
Part II.1 of the Environmental Protection Act
Ministry of the Environment and
Climate Change
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) 314-3717 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 6th day of February, 2015



Dale Gable, P.Eng.

Director

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

MC/

- c: District Manager, MOECC Halton-Peel
Lesley Clarke, Walker Environmental Group Inc. ✓