



Ministry
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PROVISIONAL CERTIFICATE OF APPROVAL
FOR A WASTE DISPOSAL SITE (PROCESSING/TRANSFER)

NO. A 121013

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Under the Environmental Protection Act and the regulations and subject to the limitations thereof, this Provisional Certificate of Approval is issued to:

Woodington Systems Inc.
P.O. Box 100
2800 Townline Road
Thorold, Ontario
L2V 3Y8

for the use and operation of a Waste Disposal Site (Processing/Transfer)

all in accordance with the following plans and specifications as listed in Schedules "A", "B", "C" and "D" which are attached and form part of this Certificate, except as specified in the Terms and Conditions of this Certificate.:

Located: 2800 Townline Road
Thorold and Niagara Falls, Ontario

which includes the use of the site for a Household Hazardous Waste Depot and a Household Hazardous Waste Transfer Station which is only for the receipt, bulking, temporary storage and transfer of the following categories of waste which are listed in Index "1" (Note: Use of the site or additional categories of wastes requires a new application and amendments to the Provisional Certificate of Approval)

Index "1" Household Hazardous Waste Materials from the residents of a Region or Municipality for which the Company has an agreement to manage these wastes, limited to waste classes 112, 114, 145, 148, 211, 212, 213, 221, 242, 252, 261, 262, 263, 269 and 331 as outlined in the new Ontario Waste Classes, January 1986, or as amended;

and which includes the use of the site for a Waste Fuel/Oil Transfer Station which is only for the receipt, bulking/separation, temporary storage and transfer of the following categories of waste which are listed in Index "2" (Note: Use of the site for additional categories of wastes requires a new application and amendments to the Provisional Certificate of Approval)

Index "2" Liquid Industrial, and Hazardous Waste Classes: 221, 222, 251, 252, 253 and 254, as outlined in the new Ontario Waste Classes, January, 1986, or as amended;



and subject to the following Definitions and Conditions:

DEFINITIONS

General

For the purposes of this Provisional Certificate of Approval:

- a. "Certificate" means Provisional Certificate of Approval No. A 121012;
- b. "Company" means Woodington Systems Inc.;
- c. "Director" means the Director, Section 39 of the Environmental Protection Act, Ontario Ministry of the Environment, Approvals Branch;
- d. "District Manager" means the District Manager, Niagara District Office, West Central Region, Ontario Ministry of the Environment;
- e. "District Office" means the Niagara District Office, West Central Region, Ontario Ministry of the Environment;
- f. "drum" means a forty-five (45) imperial gallon container or a container (tote) equivalent to 205 litres;
- g. "incident" means an abnormal event which causes a spill, emission, emergency situation or other occurrence which may affect the environment, cause a nuisance or health effect;
- h. "Ministry" means Ontario Ministry of the Environment;
- i. "Site" means 2800 Townline Road, Thorold and Niagara Falls, Ontario;
- j. "Household Hazardous Waste Collection Depot" or "HHHW Depot" means the area in which Household Hazardous Waste is dropped or directly from the public, in a public drop-off area located at Woodington's Site identified in Appendix 3 of the Document entitled "Woodington Systems Inc., Application for Amendment to a Certificate of Approval, Waste Disposal Site A 121012, A 120246 and A 120218, Background Documentation, August 1996;
- k. "Household Hazardous Waste Transfer Station" means the drum handling area identified on Drawing WTS-02 dated August 1, 1996 prepared by Cary Clark and included in the document entitled "Woodington Systems Inc., Application for Amendment to a Certificate of Approval, Waste Disposal Site A 121012, A 120246 and A 120218, Background Documentation, August 1996;



- l. "Waste Fuel/Oil Transfer Station" means the area identified on Drawing WTS-02 dated August 1, 1996 prepared by Cary Clark entitled "Transfer Station - Tank Farm Details" Appendix 2 of the document entitled "Woodington Systems Inc., Application for amendment to a Certificate of Approval, Waste Disposal Site A 121012. A 120246 and A 120218, Background Documentation, August 1996";
- m. "temporary storage" means the storage of waste no greater than one hundred and eighty (180) days or as otherwise stated by a Condition of this Certificate, from the date the waste was received at the Site;
- n. "competent person" means a person who,
 - i. is qualified because of knowledge, training and experience in the waste management activities of the Company;
 - ii. is familiar with the requirements of this Certificate, relevant waste management legislation, regulations and guidelines that pertain to the waste management activities of the Company;
 - iii. is familiar with the operation of waste management vehicles and equipment;
 - iv. is familiar with environmental concerns pertaining to the waste to be handled;
 - v. has knowledge of any potential or actual danger to health and safety in the workplace including any concerns pertaining to the waste to be handled;
 - vi. is familiar with emergency management procedures for the waste to be handled;
 - vii. is knowledgeable of any written procedures of the Company relating to waste management and the control of nuisance conditions and is able to carry them out;
- o. "PCB" and "PCB Waste" are defined in Ontario Regulation 362; and
- p. "Designated Parking Area" means the area to be created by Woodington Systems Inc. at this Site no later than December 31, 1998 for the purpose of temporarily parking tanker trucks leaving or entering the "Waste Fuel/Oil Storage Depot" and this Site.



CONDITIONS

General

1. a. Requirements specified in this Certificate are minimum requirements and do not abrogate the need to take all reasonable steps to avoid violating the provisions of applicable legislation;
- b. The 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;
- c. In all matters requiring the interpretation and implementation of this Certificate, the Conditions of this Certificate shall take precedence, followed in descending order by the Company's application and the documentation, referred to in this Certificate, which is submitted in support of the application;
- d. The Company shall notify the Director of any of the following changes in writing within thirty (30) days of the change occurring:
 - i. change of Owner/operator of the Site or both;
 - ii. change of address or address of new owner;
 - iii. change of name of the corporation or any change of business name or style; and
 - iv. change of the directors or officers;

Notification shall include a copy of the most current "Initial Notice" or "Notice of Change", filed under the Corporations Information Act, R.S.O. 1990, as amended from time to time, or if that Act is not applicable, a copy of the most recent registration under the Business Names Act, R.S.O. 1990, as amended from time to time;

- e. In the event of any change in the 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 District Manager; and
- f. The Company shall ensure that all communications made pursuant to this Condition will refer to this Certificate's No. A 121012.



General Site Operations

2. a. The Site shall be operated and maintained in an environmentally safe manner which ensures the health and safety of all persons and minimizes visual impacts, dust, odours, pests, litter and noise; and
- b. If at any time, problems such as dust, odours, pest, litter, noise or other nuisances are generated at the Site, then 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.
3. The Company shall ensure that all vehicles leaving the Site do not drag, off the Site, waste, dirt and/or other material that may become a contaminant or nuisance.
4. The Company shall forthwith notify the Ministry's Spills Action Centre at 1-800-268-6060 and the local municipality of any spill or incident which occurs at this Site and shall clean up the spill or incident forthwith. In addition, the Company shall submit to the District Manager a written report within three (3) days of any spill or incident which resulted in the discharge of a contaminant from this Site, outlining the nature of the incident, remedial measures taken and the measures taken to prevent future occurrences at this Site.

Security

5. The Company shall ensure that at least one competent person is available at all times, either on the premises or on call and within a reasonable travel distance from the Site, with the responsibility to coordinate the emergency response activities. A list, containing the name(s) of the Emergency Coordinator, the alternates, and the on-call coordinator with the office and home phone numbers for each of them, shall be posted in a conspicuous place for easy access by all employees.
6. a. i. The Company shall ensure that a competent person is available at all times during the hours of operation of this Site; and
- ii. No loading, unloading or bulking of waste and/or recyclable material shall occur unless a competent person supervises the loading, unloading or bulking operation;



- b. The Company shall ensure that at a minimum of 1.8 metre (6 foot) high, security fence with lockable gates is constructed around all waste storage/transfer areas to which this Certificate applies, no later than December 31, 1998. Gates are to be locked at all times when a competent person is not present;
 - c. The Company shall ensure the Site is adequately lit at all times; and
 - d. The Company shall post a sign on the Site, readable at a distance of twenty-five (25) metres from a public roadway bordering the Site, identifying the Company's name and emergency telephone number.
- 7.
- a. The Company shall ensure that the on-site fire fighting equipment required by the emergency contingency plan or as identified by the local fire fighting authority to be located on-site, is available at the Site at all times, is in good working condition and that on-site personnel are adequately trained in the use of such equipment;
 - b. The areas where Household Hazardous Waste(s) are stored and the Waste Fuel/Oil Transfer Station shall be maintained as "No Smoking" zones. Signs declaring the "No Smoking" zone shall be clearly visible throughout these areas.
 - c. The Company shall ensure that spill prevention and clean-up kits appropriate to the location and waste classes stored or being transferred are available at the Site at all times and that on-site personnel are adequately trained in the use of such equipment; and
 - d. The Company shall ensure that "quick couple" hoses are installed and maintained, to connect tanker trucks to tanks.

Operating Hours

- 8.
- a. The Waste Fuel/Oil Transfer Station's operating hours are twenty-four hours per day, seven days per week;
 - b. The Household Hazardous Waste Collection Depot's waste receiving hours are 9:00 a.m. to 5:00 p.m. Monday to Saturday, excluding Statutory Holidays;
 - c. The Company shall notify, in writing, the District Manager, the local Fire Department and the local Police at least five (5) days prior to the date of the operation of the Household Hazardous Waste Depot;



- d. The Household Hazardous Waste Transfer Station's operating hours are 24 hours a day, seven (7) days a week; and
- e. The Company shall ensure that the transfer of household hazardous waste(s) from the Household Hazardous Waste Depot to the Household Hazardous Waste Transfer Station or to other locations on or off-site is not conducted when the Household Hazardous Waste Depot is open to the public for receipt of household hazardous waste(s).

Waste Screening

9. a. i. The Company shall ensure that all waste received at this Site for transfer or storage is compatible with all tanks, pumps, hoses or other equipment used in the transfer or storage of the waste; and
- ii. The Company shall not mix incompatible wastes at anytime.
- b. i. Further to the limitations specified in other Terms and Conditions of this Certificate, the Company shall not accept on-site any PCB waste(s); and
- ii. Oil and oil-based paints which have been manufactured prior to 1972; or whose manufacturing data cannot be determined shall be handled in the following manner:
 - The oil and oil based paint(s) shall not be bulked/mixed with latex paints prior to testing;
 - The oil and oil based paint(s) shall not be bulked/mixed into containers larger than 45 gallon (205 L.) drums, prior to testing;
 - If paint is found to have more than 50 ppm of PCB(s) it shall be reported forthwith to the District Manager and to the Municipality which sponsored the event;
 - The Company shall manage all paint(s) or other material(s) found to be PCB waste in accordance with Ontario Regulation 362; and
 - Paints which are lab-packed are not considered to be mixed.



10. a. The Company shall in advance obtain a written agreement from the Regional or local Municipality, in which the household hazardous waste collection occurs, to take back and store in an approved PCB storage site, any confirmed PCB waste that originates from the aforementioned Region or Municipality; and
- b. The Company shall not receive Household Hazardous Waste from any Region or Municipality until the written agreement has been accepted by the District Manager.

Monitoring

11. a. i. Prior to accepting any waste, other than waste from a spill of a known product, at the Waste Fuel/Oil Transfer Station for transfer, temporary storage or bulking, for each new generator and for each previously untested waste class produced by the generator, the Company shall ensure a representative sample of each waste class is taken and analysed for, as a minimum the parameters marked with a "WP" (Waste Profile) in Column "2" of Schedule "B", in addition to any additional analysis completed or required to ensure proper classification and characterization; and
- ii. The Company shall request generators of waste to notify the Company of any changes or process modifications which may affect the waste class and/or characteristics. Upon receipt of notification of changes, the Company shall again undertake the waste analysis as described in Condition 11.a.i. prior to accepting the waste at the Site;
- b. The Company shall take a representative sample of every tenth (10th) incoming load of waste, to the Waste Fuel/Oil Transfer Station, and analyse for as a minimum the parameters listed for the appropriate waste class in Columns "3" or "4" of Schedule "B" and marked with the word "IN";
- c. Notwithstanding Condition 11.b., PCB analysis is required for all incoming loads for which PCB analysis is required by Schedule "D" and for which Columns "3" or "4" of Schedule "B" are marked with the word "IN"; and
- d. Prior to transfer of any waste from the Waste Fuel/Oil Transfer Station, the Company shall take a representative sample of the outgoing waste, and analyse, as a minimum the parameters listed for the appropriate waste class in Columns "3" and "4" of Schedule "B" and marked with the word "OUT".



12. The Company shall maintain a Quality Assurance/Quality Control (QA/QC) programme for the sampling and analysis of all incoming and outgoing wastes. The Company shall make the programme and all analytical results available, upon request, for inspection by a Provincial Officer.

Operations

13. At the Household Hazardous Waste Collection Depot waste shall be stored in the following manner:
- The Company shall store incompatible waste(s) of different waste classes and/or characteristics separately to prevent cross contamination;
 - No waste shall be stored on Site for more than 30 days from the day of receipt, unless authorized by the District Manager;
 - The company shall ensure that the storage capacity of this site shall not exceed 75 cubic metres or 370 Lab Packs whichever is less;
 - Propane cylinders shall be locked and secured during storage; and
 - All waste(s) will be stored indoors.
14. At the Household Hazardous Waste Transfer Station, waste classes as listed in Index "1", may be received for transfer and temporary storage, not to exceed ninety (90) days.
15. At the Waste Fuel/Oil Transfer Station, waste classes as listed in Index "2", may be received for transfer and temporary storage, and may be bulked (stored in the same tank) only if the wastes are compatible, all in accordance with Ontario Regulation 347, R.R.O., 1990.
16. The Company shall ensure that the disassembling, re-assembling and/or bulking of lab-packs is done in accordance with applicable legislation and good environmental, and safety practices.

Waste Storage

17. a. Waste stored on-site shall not exceed the maximum storage capacity of 753 cubic metres, stored as per Schedule "C" of this Certificate;



- b. The storage and handling of all waste stored in the "Waste Fuel/Oil Transfer Station" shall be limited to the storage tanks, and other equipment summarized in the supporting documents listed in Schedule "A" of this Certificate;
- c. The replacement of roll-offs and/or luggers for maintenance or operational purposes is permitted; however such maintenance or operational changes shall not increase the maximum storage capacity of waste stored in roll-offs and/or luggers;
- d. If tanks are replaced or upgraded for maintenance or operational purposes, the company shall notify the District Manager within 7 days. Such maintenance or operational changes cannot increase the maximum storage capacity or change the numbers of tanks;
- e. The Company shall not receive more than five hundred (500) cubic metres per day of waste at this site;
- f. The Company shall maintain all containers used to store waste in good condition to prevent leakage. The Company shall immediately remove from service any leaking containers, or overpack the container;
- g. The Company shall close and/or cover, during storage, all containers that are used to store waste;
- h. The Company shall clearly label all containers stored at the Site with the volume, waste class and waste characteristic and shall ensure the label is clearly visible for inspection and record keeping. All labels shall be kept current at all times;
- i. All storage tanks and containment areas shall be designed, constructed and maintained to meet the minimum standards of the "Guidelines for Environmental Protection Measures at Chemical Storage Facilities", October, 1978;
- j. All drums shall be stored in accordance with the "Guidelines for Environmental Protection Measures at Chemical Storage Facilities", October, 1978;
- k. All bulk storage tanks shall be examined or tested, as a minimum annually, to verify integrity and to ensure that there are no leaks;
- l. The integrity of the containment systems shall be maintained at all times to ensure against spills, leaks and discharges; and



- m. All waste is to be stored indoors or in a vehicle operating under Woodington Systems Inc., Certificate of Approval for a Waste Management System A 8248.

Designated Parking Area

18. a. The Company shall ensure no transportation vehicle containing waste pertaining to this Certificate, shall be parked or remain on-site for a period in excess of 12 hours, unless the vehicle is parked in a designated area. The designated area shall be within the fenced portion of the Site;
- b. The designated area parking area shall include an impermeable surface which is sufficiently dyked or graded to contain the total volume of waste contained on any vehicle or vehicles parked in the area. The designated parking area is to be completed no later than December 31, 1998;
- c. As built drawings of the designated parking area are to be submitted to the District Manager within 30 days of the completion of the area and in no case later than January 31, 1999;
- d. The volume of waste contained in the designated parking area shall not exceed 20,000 Imperial gallons (90,800 L.), stored in no more than four (4) tanker trucks; and
- e. Waste stored within tankers parked within the designated parking area shall not be considered as part of the Site's total volume.

Storm Water Management

19. a. The Company shall ensure all discharges from this Site, including storm water run-off are in accordance with appropriate Municipal, Provincial and/or Federal Legislation, Regulations and By-Laws; and
- b. All storm water collected shall be treated if required, and disposed of regularly to ensure that sufficient storage capacity is available on-site to contain surface water run-off and to maintain the capacity of all spill containment systems.

Record Keeping

20. a. The Company shall maintain separate daily records of the waste received and transferred from the Waste Fuel/Oil Transfer Site, the Household Hazardous Waste Collection Depot and the Household Hazardous Waste Transfer Station.



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- b. These records shall be in the form of a daily log(s) and shall include as a minimum:
- i. date, quantity, type (waste class and primary characteristic) and source of waste received;
 - ii. date, quantity, type and destination of waste transferred off-site; and
 - iii. date, quantity, storage location, tank identification and type of waste stored.
21. a. The Company shall clearly label all waste storage containers received at the Site for storage with a drum inventory number, Transportation of Dangerous Goods labelling, waste class, and waste characteristic;
- b. The Company shall keep a daily drum inventory for all waste stored in drums at the Site. The drum inventory shall be kept current at all times and shall include as a minimum:
- i. drum inventory number;
 - ii. location of the drum;
 - iii. waste class and waste characteristic;
 - iv. date of receipt and/or repackage;
 - v. Volume of waste;
 - vi. date of inventory, name and signature of person preparing the inventory;
- c. The drum inventory shall be available on-site, upon request, for inspection by a Provincial Officer; and
- d. Drums shall only be kept in temporary storage, which is not to exceed 90 days from the date of receipt. The length of time for the temporary storage of drums, shall be monitored in the drum inventory.
22. a. The Company shall ensure the Site is inspected daily for deteriorations and/or discharges, such inspections must be carried out by:
- i. a competent person as defined by this Certificate, or
 - ii. Site security personnel who have been trained and are capable of carrying out, at minimum, the notification requirements of this Site's emergency contingency plan and of this Certificate;



- b. The Company shall remedy any malfunction and/or deficiency which these inspections reveal; and
 - c. The Company shall develop and implement a preventative maintenance program for all on-site equipment associated with the processing and managing of waste. The preventative maintenance program shall be available on-site, upon request, for inspection by a Provincial Officer.
23. The Company shall maintain a written record of all Site inspections, at the Site. Site inspections shall be conducted on a regular basis according to a daily/weekly /monthly plan developed for site inspections. This record shall be in the form of a Site Inspection Logbook and shall include as a minimum:
- a. time and date of the inspection;
 - b. name, title and signature of the competent person conducting the inspection;
 - c. listing of all relevant equipment, tanks, fencing, gates and containment systems inspected and any deficiencies observed; and
 - d. recommendations for remedial action and the date remedial action, if necessary, was completed.
24. a. Within ninety (90) days of issuance of this Certificate, the Company shall compile a training manual which shall address the criteria outlined under the definition of "competent person"; and
- b. The Company shall as a minimum review the training manual on an annual basis and update as appropriate. The training manual shall be available on-site, upon request, for inspection by a Provincial Officer.
25. a. The Company shall retain all records, diagrams and reports required by this Certificate on-site for a minimum of two (2) years from the date of creation of the record, diagram or report. The Company shall make all records, diagrams and reports available, upon request, for inspection by a Provincial Officer; and
- b. The Company may keep all records, diagrams and reports required by this Certificate at a central location, located at the Site.

Contingency Plan

26. The Company shall maintain on-site a diagram identifying the location of each storage container and the waste type it contains. The Company shall ensure the diagram is a true reflection of the waste stored on-site and make the diagram available for inspection upon request by emergency response personnel and/or a Provincial Officer.



27. a. The Company shall maintain a contingency plan. The plan shall include, as a minimum, the following:
- i. measures to prevent fires/spills;
 - ii. fire protection system, control and safety devices;
 - iii. measures for spill alerting, containment, treatment, disposal and clean-up, training of Site operators;
 - iv. availability of spill clean-up equipment;
 - v. maintenance and testing programs for spill clean-up equipment;
 - vi. fuel spill leak containment and contingency measures;
 - vii. odour control program; and
 - viii. emergency Site plan and Site diagram; and
- b. The Company shall as a minimum, review the contingency plan on an annual basis, and shall submit to the District Manager, the City of Thorold, the Niagara Falls Fire Department, and the Regional Municipality of Niagara an updated contingency plan within thirty (30) days of any amendment to the contingency plan.

Annual Report

28. The Company shall submit to the District Manager an annual report on the operation of the Site, by March 1 of each year. The report shall cover the previous calendar year and include as a minimum (all quantities shall be reported in consistent metric units of measurement):
- a. an annual summary by waste class and characteristic of the waste received at the Site, including quantity;
 - b. an annual summary by waste class and characteristic of the waste generated from the Site, including quantity;
 - c. the annual average and maximum daily receipt of waste at the Site;
 - d. a descriptive summary of any spills or other emergency situations which have occurred at the Site, the remedial measures taken, and the measures taken to prevent future occurrences;
 - e. a descriptive summary describing all rejected waste loads including quantity, waste class, reasons for rejection and origin of the rejected waste;
 - f. a descriptive summary of upgrades conducted during the previous calendar year; and



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- g. a summary description (including averages and maximums for each parameter) of any analytical data pertinent to the operation of this facility, including waste screening and monitoring analysis, analysis of effluent discharged to the sanitary sewer, storm water analysis and a summary of Quality Control/Quality Assurance (QA/QC) analysis.

Financial Assurance

29. a. The Company shall submit to the Director financial assurance for the total amount of one hundred and six thousand two hundred and fifty-five dollars and seventy-five cents (\$106,255.75). The financial assurance shall be in the form of cash, bond and/or irrevocable letter of credit in a form acceptable to the Director. The financial assurance shall be available to the Director for remedial measures at the Site, as well as, for ensuring proper closure should the Site be abandoned. The amount of financial assurance is subject to review at any time by the Director and may be amended by the Director.

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 Company shall forthwith replace the financial assurance with cash;

- b. Prior to the use of the designated parking area the Company shall submit to the Director additional financial assurance of five thousand nine hundred and nine dollars (\$5,909.00). The financial assurance shall be in the form of cash, bond and/or irrevocable letter of credit in a form acceptable to the Director. The financial assurance shall be available to the Director for remedial measures at the Site, as well as, for ensuring proper closure should the Site be abandoned. The amount of financial assurance is subject to review at any time by the Director and may be amended by the Director.

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 Company shall forthwith replace the financial assurance with cash; and

- c. The Company shall review the amount of financial assurance on an annual basis, along with the annual report in Condition No. 28 by March 1 of each year. The review of the financial assurance shall include, but not be limited to, quotations or appropriate documentation of:

- i. current capital costs of closure, rehabilitation and long-term maintenance of this Site;



- ii. current capital costs of excavation and disposal of any contaminated materials;
- iii. current capital costs of hauling, treating and disposal of all wastes stored on this Site; and
- iv. an estimate for general Site cleanup.

Communication Plan

30. The Company shall maintain a written record of any written or verbal complaint received concerning the operation of the Site. This record shall be in the form of an complaint report and shall include as a minimum:
 - a. date and time of the complaint, and the name of the complainant, if available;
 - b. nature and circumstances of the complaint; and
 - c. recommendations for remedial action and date remedial action taken, if necessary.

Whenever possible and warranted, the Company shall provide follow-up to the complainant on all actions taken to address the complaint.

Closure Plan

31. a. At least thirty (30) days prior to the closure of this Site or any portion or operation of this Site, the Company shall submit to the District Manager, a detailed formal clean-up and closure plan for this Site/operation which confirms that this Site or portion of the Site or operation will be closed in an environmentally acceptable manner; and
- b. Within thirty (30) days of the closure of the Site or of any portion or operation, the Company shall submit independent confirmation that this Site, portion of the Site or operation has been closed in accordance with the submitted plan, and present this Provisional Certificate of Approval for amendment or revocation to the Director as appropriate.

Revocation

32. This Provisional Certificate of Approval revokes and replaces all Provisional Certificate of Approval Nos. A121012, A120218 and A120246 previously issued for this Site under Part V of the Environmental Protection Act. 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 Environmental Protection Act for this Site.



SCHEDULE "A"

This Schedule "A" forms part of Provisional Certificate of Approval No A 121012:

1. Application dated September 4, 1996 for consolidation of Certificate's of Approval for Waste Disposal Site(s) A 121012, A 120246 and A 120218 issued to Woodington Systems Inc.
2. Supporting Documentation for an Application to amend Woodington's Certificate(s) dated August 22, 1996, Re: Waste Disposal Site(s) A 121012, A 120246 and A 120218.
3. Letter dated December 2, 1996, to S. Rouleau, Ministry of the Environment (MOE) from A. Braithwaite, Woodington Systems Inc., Re: Consolidation/Updating of Woodington System Inc.'s Certificates of Approval (CofA).
4. Letter dated June 12, 1997 to S. Rouleau, MOE from A. Braithwaite, Woodington Systems Inc., Re: Draft CofA.
5. Letter dated July 2, 1997 to S. Rouleau, MOE from A. Braithwaite, Woodington Systems Inc., Re: Application to consolidate Woodington Systems Waste Disposal Site CofA's.
6. Letter dated July 30, 1997 to S. Rouleau, MOE from A. Braithwaite, Woodington Systems Inc., Re: Draft CofA.
7. Facsimile dated September 2, 1997 to S. Rouleau, MOE from A. Braithwaite, Woodington Systems Inc., Re: Proposal for Monitoring Conditions.
8. Letter dated September 25, 1997 to S. Rouleau, MOE from A. Braithwaite, Woodington Systems Inc., Re: Metals Analysis - Schedule B.
9. Letter dated November 14, 1997 to S. Rouleau, MOE from A. Braithwaite, Woodington Systems Inc., Re: October 28 - Draft CofA.
10. Letter dated November 24, 1997 to S. Rouleau, MOE from A. Braithwaite, Woodington Systems Inc., Re: Standard Operating Procedures Waste Acceptance.
11. Fax dated January 21, 1998 to S. Rouleau, MOE from A. Braithwaite, Woodington Systems Inc., Re: Changes to draft CofA No. A 121012 of January 8, 1998.



SCHEDULE "B"

This Schedule "B" forms part of Provisional Certificate of Approval No A 121012:

WOODINGTON SYSTEMS WASTE TESTING CRITERIA			
COLUMN 1 PARAMETERS	COLUMN 2 WASTE PROFILE ¹	COLUMN 3 FUELS ^{2,3} 221-222	COLUMN 4 OILY WASTE ^{2,3} 251-254
PHYSICAL DESCRIPTION	WP	IN/OUT	IN/OUT
PCB(s)	WP	Not Required	IN ⁷ /OUT ⁵
FLAMMABILITY FLASH POINT	WP	Not Required	IN/OUT ⁴
Ph (Aqueous Phase)	WP	IN	IN/OUT
HALOGEN CONTENT	WP	OUT ⁶	OUT ⁶
REACTIVITY	WP	IN	IN
METALS/ANIONS (arsenic, cadmium, lead and chromium)	WP	OUT ^{5 or 6}	OUT ^{5 or 6}

- NOTES:
1. Analysis is required for parameters indicated by "WP" prior to receiving waste from a generator.
 2. Analysis is required for parameters indicated by "IN" on incoming wastes.
 3. Analysis is required for parameters indicated by "OUT" on outgoing wastes.
 4. Flash Point analysis is required only if flammability potential of incoming loads has been positive. Flammability potential shall be determined in accordance with the American Society for Testing and Materials (ASTM) document # 4982.
 5. Analysis is required at the request of the receiving, processing or final disposal facility.
 6. Analysis is required if waste is destined for incineration or use as a waste derived fuel.
 7. PCB analysis is required as per "Schedule D" of this Certificate



SCHEDULE "C"

This Schedule "C" forms part of Provisional Certificate of Approval No A 121012:

WOODINGTON SYSTEMS INC.'S MAXIMUM STORAGE VOLUME(S) FOR LIQUIDS & SOLIDS		
LOCATION	VOLUME	VOLUME (Litres)
Tank Farm	578,550 litres	578,550
Drum Storage	220 drums	45,100
HHHW Depot	370 labpacks/drums	75,850
Roll-off Van Body	64 drums	13,120
Luggers/Roll-offs	2 x 20 cubic metres	40,000
Designated Parking Area*	4 x Tanker Trucks	20,000 Imp. Gal. (90,920 litres)
TOTAL *	753 cubic metres *	752,620 *

* Waste stored in tanker trucks which are parked within the "Designated Parking Area" are not considered as part of the total on-site storage volume.



SCHEDULE "D"

This Schedule "D" forms part of Provisional Certificate of Approval No A 121012:

WOODINGTON SYSTEMS INC.'S PCB ANALYSIS DECISION TABLE	
PCB Testing Mandatory if:	PCB Testing Unnecessary if:
Waste is from a transformer and there is no up to date analytical information, (less than 5 years), on the PCB content of the oil.	Waste is from a transformer/capacitor containment area and the PCB content of the oil in the stored/operating equipment has been tested and is less than 50 ppm.
Waste has had PCB contamination greater than 50 ppm PCB in the past.	Waste is being pumped directly from a hydraulic system.
If customer has a historical problem with PCBs at their plant.	Waste is being pumped directly from a cooling system.
If waste is in drums or tanks and there is limited or questionable information on the contents of the drums or tank.	Waste is being generated by an auto-repair facility that does not receive waste from the public.
Waste is from an autowrecker or scrap yard.	Waste is a known product or spill of a product, which does not contain PCBs.
Waste from a Hydroelectric Commission, Municipal Public Works or Ontario Hydro for which no analytical information is available. (See exception)	Waste oils/fuels from routine vehicle maintenance owned or operated by a Hydroelectric Commission, Municipal Public Works or Ontario Hydro.
Waste is from a gas/oil pipeline or a compressor station.	



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

1. The reason for Condition 1 is to clarify the legal rights and obligations imposed under this Certificate and to ensure that the waste disposal site is operated under the corporate, limited or the applicant's own name which appears on the application and supporting information submitted for this Certificate and not under any name which the Director has not been asked to consider. This is to ensure the Director is informed at all times of who is responsible for the site.
2. The reason for Conditions 2 and 3 is to prevent nuisance or adverse environmental affects from occurring. The use and operation of the site without these Conditions may create a nuisance or result in a hazard to the health and safety of any person or the environment.
3. The reason for Condition 4 is to ensure that the ministry and local officials are notified of any spills and that such spills be cleaned up in a timely manner. Operation of this site without this Condition would not be in the public interest.
4. The reason for Conditions 5, 6 and 7 is to minimize the risk of vandalism, discharge, or fire and to ensure that the site is only operated in the presence of a competent person, to whom proper equipment is available and to ensure that competent Company personnel are available in the event of an on-site emergency or spill. Operation of this site without these Conditions would not be in the public interest.
5. The reason for Condition 8 to ensure the site is operated in accordance with the application and supporting documentation submitted for this Certificate, and not in any manner for which the Director has not been asked to consider.
6. The reason for Condition 9 is to ensure that waste is adequately identified prior to receipt and that any receipt of waste is in accordance with the application and supporting information submitted for this Certificate. Operation of this site without this Condition would not be in the public interest.
7. The reason for Condition 10 is to ensure that PCB waste is forthwith returned to the originating municipality to be stored in an approved PCB storage site. Operation of this site without this Condition would not be in the public interest.
8. The reason for Condition 11 is to ensure that waste as listed in "Index (2)" is adequately identified prior to receipt or transfer/transport off-site in accordance with the application and supporting information submitted for this Certificate. Operation of this site without this Condition would not be in the public interest.



9. The reason for Condition 12 is to allow the Ministry to review and assess the sampling and analytical testing programs. Operation of this site without this Condition would not be in the public interest.
10. The reason for Conditions 13 and 14 is to ensure that waste is handled, stored and transferred in an timely, safe and environmentally acceptable manner and to ensure the site is operated in accordance with the application and supporting documentation submitted for this Certificate, and not in any manner for which the Director has not been asked to consider.
11. The reason for Condition 15 is to ensure that only those waste classes listed in "Index (2)" are received, and that incompatible wastes are not mixed, all in accordance with the application and supporting information submitted for this Certificate. Operation of this Site without this Condition could result in a danger to the health and safety of any person and the environment.
12. The reason for Condition 16 is to ensure that Labpacks are managed in accordance with good environmental practises and the Company's "Operations and Management Plan". Operation of this site without this Conditions would not be in the public interest.
13. The reason for Condition 17 is to ensure waste is stored appropriately in an environmentally acceptable manner and to limit the site to maximum storage volumes for waste liquids, solids and drums all in accordance with the application and supporting information submitted for this Certificate. The use and operation of the site without this Condition would not be in the public interest.
14. The reason for Condition 18 is to ensure waste being transported by tankers into or out of the "Waste Fuel/Oil Storage Depot" are parked in a secure area to reduce the risk of a spill and to reduce the environmental damage caused by such a spill. The use and operation of the Site without this Condition may result in a danger to the health and safety of any person or the environment.
15. The reason for Condition 19 is to minimize the risk of contamination of the natural environment and to minimize the egress of contamination for this purpose. Operation of this site without these Conditions would not be in the public interest.
16. The reason for Conditions 20, 21, 22, 23, 24, 25 and 28 is to ensure adequate records and/or inspections are kept/done by the Company, to allow the Ministry and Ministry personnel when acting in the course of their duties, to review and assess the operations or records to ensure the site is operated in accordance with the application for a Provisional Certificate of Approval and supporting information and not in any manner which the Director has not been asked to consider. Operation of this site without these Conditions would not be in the public interest.



17. The reason for Conditions 26 and 27 is to ensure the Company has an up-to-date contingency plan for prompt control and clean-up of emergency incidents. The operation of the site without these Conditions would not be in the public interest.
18. The reason for Condition 29 is that financial assurance is necessary to ensure funds are available from the applicant to remediate the site, bring the site into compliance with all Terms and Conditions of this Certificate and remove and dispose of any waste and/or processed materials relating to the activities and operations carried out at the site, in the event the applicant is unable or unwilling to do this work. The use and operation of this site without this Condition would not be in the public interest.
19. The reason for Condition 30 is to ensure the public is adequately informed regarding site operations and that complaints are dealt with properly.
20. The reason for Condition 31 is to ensure that the Ministry is informed of the closure and to ensure that the site is properly closed in an environmentally acceptable manner.
21. The reason for Condition 32 is to clarify that this Site is to be operated under this Provisional Certificate of Approval and not under any Provisional Certificate of Approval issued previously under Part V of the Environmental Protection Act.

In accordance with Section 139 of the Environmental Protection Act, R.S.O. 1990, Chapter E-19, you may by written notice served upon me, the Environmental Appeal Board and the Environmental Commissioner, Environmental Bill of Rights, S.O. 1993, Chapter 28, within 15 days after receipt of this Notice, require a hearing by the Board. Section 142 of the Environmental Protection Act, as amended provides that the Notice requiring a 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.

In addition to these legal requirements, 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;
3. The municipality within which the waste disposal site is located;



Ministry
of the
Environment

Ministère
de
l'Environnement

PROVISIONAL CERTIFICATE OF APPROVAL
FOR A WASTE DISPOSAL SITE (PROCESSING/TRANSFER)

NO. A 12101

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

This Notice must be served upon:

The Secretary,
Environmental Appeal Board,
2300 Yonge St., 12th Floor,
P.O. Box 2382
Toronto, Ontario.
M4P 1E4

The Environmental Commissioner,
1075 Bay Street,
Suite 605,
6th Floor,
Toronto, Ontario.
M5S 2W5

The Director,
Section 39, *Environmental Protection Act*,
Ministry of Environment,
250 Davisville Avenue, 3rd Floor,
Toronto, Ontario.
M4S 1H2

This instrument is subject to Section 38 of the Environmental Bill of Rights, that allows residents of Ontario to seek leave to appeal the decision on this instrument. Residents of Ontario may seek to appeal for 15 days from the date this decision is placed on the Environmental Registry. By accessing the Environmental Registry, you can determine when the leave to appeal period ends.

DATED AT TORONTO this 2nd day of March, 1998.

A. Dominski, P. Eng.,
Director,
Section 39,
Environmental Protection Act

SR/st
cc: District Manager, Niagara