
Appendix A.5

Certificate of Approval No. A710003 (Soil Recycling)



**PROVISIONAL CERTIFICATE OF APPROVAL
FOR A WASTE DISPOSAL SITE**

**CERTIFICAT D'AUTORISATION PROVISOIRE
DE DÉCHARGE**

Provisional Certificate Number A710003
Certificat provisoire no.

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

Aux termes de la Loi sur la protection de l'environnement et des règlements et sous réserve des restrictions qui y sont stipulées, le présent certificat provisoire d'autorisation est délivré à:

Laidlaw Waste Systems (Canada) Ltd.
3410 South Service Road
BURLINGTON, Ontario
L7R 3Y8

the use and operation of a waste processing facility

..ll in accordance with the plans and specifications:

1. Application for a Certificate of Approval for a Waste Disposal Site (Processing) dated August 30, 1993.
2. Letter from Laidlaw Waste Systems Ltd. to the Ministry of Environment and Energy, dated July 12, 1993, briefly describing the proposal for recycling petroleum contaminated soils and listing supporting documentation.
3. Letter from Laidlaw Waste Systems Ltd. to the Ministry of Environment and Energy, dated July 12, 1993, explaining the soil recycling process. Supporting information includes District Office Notification Form - Mobile Soil Reclamation, Certificate of Insurance, letter of credit, site plan and layout drawings, and detail drawings of sediment/oil interceptor system for quality control of leachate run-off.
4. Letter and supporting documentation from Laidlaw Waste Systems Ltd. to the Ministry of Environment and Energy dated November 5, 1993 providing additional information on emergencies and contingencies, public information (including public notice and newspaper advertisement), hours of operation, and a monitoring plan for the soil storage pad at the Laidlaw landfill site in Richmond Township.

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5. Memo to the Ministry of Environment and Energy from Laidlaw Waste Systems Ltd. dated November 9, 1993, providing list of property owners which received a hand delivered public notice explaining the proposal.
6. Letter from the Richmond-Tyendinaga Environmental Association to the Ministry of Environment and Energy dated September 23, 1993 providing support for the soil recycling proposal.
7. Letter from the Township of Richmond to the Ministry of Environment and Energy dated October 8, 1993 and Resolution No. 316/93, dated October 4, 1993, providing Council's support for the proposal.

Ontario Ministry of Environment and Energy Provisional Certificate of Approval for a Waste Disposal Site A210222 dated September 18, 1992, or as amended.

1. Ontario Ministry of Environment and Energy Provisional Certificate of Approval for a Waste Management System A840681 dated March 18, 1992, or as amended.
10. Ontario Ministry of Environment and Energy Certificate of Approval (Air) Number 8-3212-88-919 dated April 23, 1992, or as amended.

located in: Township of Richmond
Part of Lot 2, Concession IV
(Beechwood Road)

and is subject to the following definitions and conditions:

definitions:

"certificate" means the entire certificate of approval including its schedules, if any, issued in accordance with Section 27, Part V of the Environmental Protection Act;

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"Director" means Director of the Southeastern Region of the Ministry or his appointee;

"District Manager" means the District Manager of Kingston District Office, Southeastern Region of the Ministry;

"Ministry" means the Ontario Ministry of Environment and Energy;

"Owner" means Laidlaw Waste Systems (Richmond) Ltd.;

"Operator" means Laidlaw Waste Systems (Canada) Ltd.; its officers, employees, agents or contractors;

"Site" means the area(s) on landfill site, Certificate of Approval No. .371203, to be used by the processing facility described in this Certificate.

General Conditions

1. The requirements of this Certificate are imposed pursuant to Part V of the Environmental Protection Act. The issuance of this Certificate in no way abrogates the operator's legal obligations to take all reasonable steps to avoid violating other applicable provisions of this legislation and other legislation and regulations.
2. (1) 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.

(2) In all matters requiring the interpretation and implementation of this Certificate, the conditions of the certificate shall take precedence, followed in descending order by the application and the documentation, referred to in this Certificate, which is submitted in support of the application.

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3. The operator must ensure compliance with all the terms and conditions of this Certificate. Non-compliance constitutes a violation of the Environmental Protection Act and is grounds for enforcement.
4. (1) The operator shall, forthwith upon the request of the Director or District Manager, furnish any information requested concerning compliance with this Certificate including any records required to be kept by this Certificate.

(2) In the event the operator provides to the Ministry information, records, documentation of notification in accordance with this Certificate,
 - (a) the receipt of said information by the Ministry;
 - (b) the acceptance by the Ministry of the information's completeness or accuracy; or,
 - (c) the failure of the Ministry to prosecute the operator, or to require the operator to take any action, under this Certificate of any statute or regulation in relation to said information;
shall not be construed as the approving, excusing or justifying by the Ministry of any act or omission of the operator relating to said information, amounting to non-compliance with this Certificate or any statute or regulation.

(3) All records referred to in this Certificate shall be retained on file in a secure manner for a period not less than two years.
5. The owner/operator shall allow Ministry personnel, or a Ministry authorized representative(s) to:
 - (1) carry out any and all inspections authorized by Section 156, 157 or 158 of the Environmental Protection Act, as amended from time to time, of any place to which this Certificate relates; and, without restricting the generality of the foregoing, to:

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- (a) enter at reasonable times upon the premises, or the location where the records required by the conditions of this Certificate are kept;
 - (b) have access to and copy, at reasonable times, any records required by the conditions of this Certificate;
 - (c) inspect at reasonable times any facilities, equipment, practices, or operations required by the conditions of this Certificate; and
 - (d) sample and monitor at reasonable times for the purpose of assuring compliance with the conditions of this Certificate.
6. (1) The owner/operator shall notify the District Manager in writing of any change in ownership, name of corporation, the operator, or termination of the facility within 30 days of the change occurring.
- (2) In the event the facility is permanently closed a Provincial Officer shall inspect the site and the site shall not be used for any other purpose prior to the inspection and written clearance by the District Manager.
- (3) The operator shall ensure that all communications made pursuant to this condition will refer to this Certificate's number.
7. (1) In accordance with Section 19(4) of the Environmental Protection Act this Certificate, the application filed to obtain and documentation referred to in the certificate which may be reasonably necessary for a proper reading and understanding of it, with the exclusion of those documents marked "confidential" by the operator shall be made available for public inspection at the request of any person.
- (2) Additional information to that set out in subcondition (1) relating to this Certificate and contained in Ministry files may be made available to the public in accordance with the provisions of the Freedom of Information and Protection of Privacy Act.

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8. Except as specified in this Certificate the site shall be operated in accordance with the application for this Provincial Certificate of Approval dated August 30, 1993 and its supporting information described in items 1 to 10 on pages 1 and 2 of this Certificate.
9.
 - (1) The operation of this site is limited to the storage and processing of non hazardous waste soils contaminated with petroleum hydrocarbons, liquid waste classes 211, 212, 213, 221, 222, 251, 252, 253 and 254 as defined in the Ministry of the Environment "New Ontario Waste Classes" document, dated January, 1986 from the Province of Ontario.
 - (2) No wastes other than those listed in subcondition (1) shall be collected and stored at this site without amendment to this Certificate.
 - (3) No wastes contaminated with halogenated organics, including PCBs, with concentrations greater than two (2) micrograms per grams shall be accepted at this site.
 - (4) No waste mixing or diluting with uncontaminated soil shall occur at the site. No waste mixed or diluted with uncontaminated soil shall be accepted at the site.
 - (5) No users outside the areas listed in subcondition (1) shall use this site without amendment to this Certificate.
10.
 - (1) The operator shall ensure that site personnel, trained in contingency measures are on duty at all times during normal operating hours or during any additional hours the facility may be open. Public access to the site shall be restricted.

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(2) All site personnel shall have practical knowledge of the waste material to be handled under this Certificate and shall be fully trained and knowledgeable about all aspects of the site operation including the requirements of this Certificate which relate to the work they are doing and their safety on the site.

(3) Prior to operating the site the operator shall prepare an operation manual for use by site personnel which shall contain, but not necessarily be limited to the following:

- (a) an outline of the responsibilities of site personnel;
- (b) operation and receiving procedures;
- (c) storage, handling, sorting and shipping procedures;
- (d) contingency procedures to be followed by personnel in the event of fire and other emergencies.

(4) A copy of the manual shall be placed in a central location on the site and this manual shall be accessible to all site personnel during operating hours.

(5) Within 30 days of the issuance date of this Certificate a copy of the operation manual shall be submitted to the District Manager.

11. (1) The operator shall establish a record system for all waste received at the site which shall include, but not necessarily be limited to, the documentation of quantities received and processed at the site each month; source of generation; receiving and shipping dates and volumes of wastes or processed soils shipped to approved markets, transfer/processing facilities and waste landfill sites; and documentation of environmental and other problems experienced in operating this site.

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(2) The information collected under subcondition (1) shall be submitted in a report to the District Manager on or before the first day of December during each year of operation or until the Director or the District Manager has given notice in writing that these submissions are no longer required.

12. (1) The operator shall ensure that the site is operated in a safe and secure manner; that the operation of this site does not impede or is impeded by the landfilling operation on which this site is located; and that the wastes are properly handled, contained, stored, tested and processed at the site; so as not to pose a threat to the general public, site personnel and the environment.

(2) The operator shall ensure that wastes received at the facility are processed and moved from the site to approved markets, processing facilities and landfill sites on a regular basis; and that waste processing does not exceed 5,000 tonnes per day and waste storage on site does not exceed 40,000 tonnes.

(3) Notwithstanding Condition 1 the operator shall ensure that the processing operation is in compliance with noise, hours of operation, fire regulations and any other applicable by-laws of the local municipality/regional governments; and the requirements of Ontario Provisional Certificate of Approval for a Waste Disposal Site-A210222; and Ontario Provisional Certificate of Approval for a Waste Management System A840681 described in items 8 and 9 on page 2 of this Certificate.

(4) The operator shall take all necessary measures possible to contain and minimize all emissions, including air emissions caused by the operation of the processing equipment, waste storage and the processed soil storage; and shall comply with Ontario Certificate of Approval (Air) 8-3212-88-919 described in item 10 on page 2 of this Certificate; and all other applicable legislation governing emissions.

(5) Any waste water collected in the catchment basin for the soil storage pad described in item 3 on page 1 of this Certificate shall be disposed of in a proper manner under Section 53 of the Ontario Water Resources.

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(6) Only waste processing equipment as approved under Certificates of Approval A210222 and 8-3212-88-919 described in items 8 and 10 on page 2 of this Certificate shall be used at this site.

13. The local fire department shall be informed of the processing facility and this Certificate.
14. (1) Processed waste which contains Total Volatile Hydrocarbons above (100) micrograms per gram which are not reprocessed or soil waste which is not processed shall be taken from the site for disposal to approved landfill sites or to approved transfer or processing sites for further processing shall be transported under a approved waste management system.

(2) Testing of waste soils and processed soils on this site shall be carried out as specified in Certificates of Approval A210222 and 8-3212-88-919 described in items 8 and 10 on page 2 of this Certificate.
15. This Certificate expires with the termination of the site; when all the wastes have been removed from the site; and the restoration of the site has been approved, in writing, by the District Manager.
16. (1) Within 90 days of the date of this Certificate the operator shall provide financial security for the closure of the site in an amount acceptable to the Director. The security can be in the form of a fund, bond, an irrevocable letter of credit or any other form as may be acceptable to the Director. The amount of financial assurance shall be established based on current costs for cleaning up the site and the assessed value of the fund, bond, or letter of credit shall be approved by the Director, in writing, before being submitted to the Ministry. The assessed value submitted to the Director for approval shall be an independent estimate which shall include, but not necessarily be limited to:

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- i) trucking, disposal and labour costs for removal of all waste from the site;
- ii) costs of equipment dismantling and cleaning on the site.
- iii) any legal and contractual costs associated with the closure of the site.

(2) In the event the financial assurance is scheduled to expire or notice is received that it will not be renewed and a replacement in a form satisfactory to the Director is not received at least 60 days before the expiry or renewal date, the operator shall forthwith replace it with a cash deposit.

(3) The operator shall review the closure costs as specified in subcondition (1) on a yearly basis and shall increase, or may decrease the financial assurance when instructed, in writing, by the Director. A copy of the review assessment shall be provided in the report specified in Condition 11(2).

(4) The operator shall at all times while the site is operating maintain the ten million dollars (\$10,000,000) third party liability insurance described in item 3 on page 1 of this Certificate and a copy of the policy shall be submitted to the Director within 30 days of the date of this Certificate.

17. The obligations imposed by the terms and conditions of this Certificate of Approval are obligations of due diligence.

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

1. Conditions 1, 2, 3, 4 and 7 are to clarify the legal rights and obligations of this Provisional Certificate of Approval.

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2. Condition 5 is to ensure that the appropriate Ministry staff have ready access to the waste disposal site to inspect the operations that are approved under this Provisional Certificate of Approval. The condition is supplementary to the powers of entry afforded a Provincial Manager pursuant the Environmental Protection Act, as amended.
3. Conditions 6, 8 and 15 are to ensure that the waste disposal site is operated in accordance with the application for this Certificate and supporting information and not under any name or in any way which the Director has not been asked to consider; and to ensure the property is cleaned up and restored to the satisfaction of the Ministry prior to closure.
4. Condition 9 is to ensure that this site is used only to collect, handle and transport waste within the limitations approved under this Provisional Certificate of Approval.
5. Conditions 10 and 12 are to ensure that the waste recycling site is properly managed in an organized manner by adequately trained persons, in order to prevent environmental detriment; and to ensure the safety of the general public and site personnel.
6. Condition 11 is to provide both the operator and the Ministry of Environment and Energy with an assessment of the waste recycling site.
7. Condition 13 is to ensure fire personnel are informed of the this waste processing site and the type of waste which is stored on this site.
8. Condition 14 is to ensure that the collection, handling, and transportation of all waste materials are conducted in an environmentally acceptable manner in accordance with provincial regulations.

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9. Condition 16 is to ensure funds are available from the operator for site closure in the event the site needs to be closed and the operator is not able to do the work; and to clean up any environmental impairment should the operator be unable or refuse to do so. The use and operation of the site without this condition would not be in the public interest.
10. Condition 17 is required to clarify that the terms and conditions of this Certificate of Approval impose a standard of due diligence and not absolute liability.

You may, by written notice served upon me and the Environmental Appeal Board within 15 days after receipt of this Certificate, require a hearing by the Board. Section 142 of the Environmental Protection Act, R.S.O. 1990 c. E-19, as amended, provides that the notice requiring the hearing shall state:

1. The portion 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 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 works are located;

and the notice should be signed and dated by the appellant.

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This notice should be served upon:

The Secretary
Environmental Appeal Board
112 St. Clair Avenue West
5th Floor
TORONTO, Ontario
M4V 1N3

AND

The Director
Section 39, E.P.A.
Ministry of Environment and Energy
133 Dalton Avenue, Box 820
KINGSTON, Ontario
K7L 4X6

ated at Kingston this 20th day of December, 1993.



Director
Section 39, E.P.A.
Ministry of Environment and Energy

(Pour obtenir une copie du present document certificat en francais,
communiquer le Ministère de l'Environnement et de l'Énergie 613
549-4000.)

Appendix A.6

Certificate of Approval (Air) No. 8-4078-
99-006 (Flare System)



Ministry
of the
Environment

Ministère
de
l'Environnement

Jack Vanette
Landfill Operating Record.

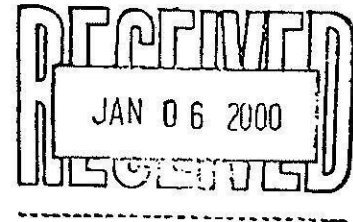
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Canadian Waste Services Inc.
R.R. #6 Beechwood Road
Napanea, Ontario
L5C 1T7



Located at:

Part of Lots 1, 2 and 3, Concession 1V
Town of Greater Napanea (formerly the Township of Richmond)
County of Lennox and Addington, Ontario

You have applied in accordance with Section 9 of the Environmental Protection Act for approval of:

one (1) enclosed flare system, used to incinerate the landfill gases from a landfill gas collection system at a maximum volumetric gas flow rate of 0.28 standard cubic metre per second with the combustible gas levels ranging from 30 to 55 percent by volume. The flare has a maximum heat input of 19 gigajoules per hour, exhausting into the atmosphere through a stack, having an exit diameter of 2.1 metres, extending 12.2 metres above grade;

all in accordance with the Application for Certificate of Approval, submitted by Canadian Waste Services Inc., signed by Michael Walters, dated June 11, 1999; an acoustical report prepared by Hugh Williamson, dated November 26, 1999. and the other supporting information prepared by Comcor Environmental.

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

TERMS AND CONDITIONS

DEFINITIONS

1. For the purpose of this Certificate of Approval:

- (1) "Act" means the Environmental Protection Act;
- (2) "Certificate" means this Certificate of Approval, including Schedule "A", issued in accordance with Section 9 of the Act;
- (3) "Company" means Canadian Waste Services Inc.;
- (4) "CEM System" means the continuous monitoring and recording system used to optimize the operation of flare, as described in the



Company's application, this Certificate, including Schedule "A", and in the supporting documentation referred to herein, to the extent approved by this Certificate;

- (5) "Equipment" means the flare system, described in the Company's application, this Certificate and in the supporting documentation referred to herein, to the extent approved by this Certificate;
- (6) "Ministry" means the Ontario Ministry of the Environment; and
- (7) "Publication NPC-232" means Publication NPC-232, Sound Level Limits for Stationary Sources in Class 3 Areas (Rural), October 1995.

- 2. The Company shall ensure that the noise emissions from the Equipment comply with the limits set in Publication NPC-232.
- 3. The Company shall operate the Equipment in such a manner that a minimum temperature, as recorded by CEM, shall be 900 degrees Celsius at a point representing a minimum retention time of 0.75 second, at all times the landfill gases are flowing to the flare system.

The Company shall ensure that the Equipment, including CEM, is properly operated and maintained at all times. The Company shall, as a minimum:

- (1) prepare, not later than three (3) months after the issuance of the Certificate and update, as necessary, a manual outlining the operating procedures and a maintenance program for the Equipment, including:
 - (a) the routine and emergency operating and maintenance procedures recommended by the Equipment and CEM System suppliers;
 - (b) the calibration procedures of the CEM System;
 - (c) the operator training which is to be provided by an individual experienced with the Equipment;
 - (d) the procedures for optimizing the operation of the Equipment to minimize the emissions from the Equipment;
 - (e) the periodic inspection of the Equipment which is to be conducted by individuals experienced with the Equipment; and
 - (f) the procedures for recording and responding to complaints regarding the operation of the Equipment; and



- (2) implement the recommendations of the operating and maintenance manual.

RECORD RETENTION

5. The Company shall retain for a minimum of two (2) years from the date of their creation, all records and information related to or resulting from the operation of the Equipment, and monitoring and recording activities required by this Certificate. These records shall be made available the Ministry upon request. The Company shall retain:
 - (1) all records on maintenance, repair and inspection of the Equipment and the CEM System;
 - (2) all records produced by the CEM System;
 - (3) all records on operator training;
 - (4) all records on the environmental complaints, including:
 - (a) a description, time and date of the incident;
 - (b) wind direction at the time of the incident;
 - (c) a description of the measures taken to address the cause of the incident and to prevent a similar occurrence in the future; and
 - (d) description of all upset conditions associated with the operation of the Equipment and remedial action taken.

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

1. Condition No. 1 is included to define the special terms that are used throughout the Certificate.
2. Condition No. 2 is included to provide the minimum performance requirement considered necessary to prevent an adverse effect resulting from the operation of the Equipment.
3. Condition Nos. 3 and 4 are included on the Certificate to emphasize that the Equipment must be maintained and operated according to a procedure that will result in compliance with the Act, the regulations and this Certificate.



4. Condition No. 5 is included to require the Company to retain records and provide information to the Ministry so that the environmental impact and subsequent compliance with the Act, the regulations and this Certificate can be verified.

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, the Environmental Appeal Board and in accordance with Section 47 of the Environmental Bill of Rights, S.O. 1993, Chapter 28, the Environmental Commissioner, within 15 days after receipt of this Notice, require a hearing by the Board. The Environmental Commissioner will place notice of your appeal on the Environmental Registry. 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 works are located;

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 2B1

The Director,
Section 9, *Environmental Protection Act*,
Ministry of the Environment,
2 St. Clair Avenue West, 12A Floor,
Toronto, Ontario.
M4V 1L5

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



Ministry of the Environment
Ministère de l'Environnement

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AIR


NUMBER 8-4078-99-006

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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 within 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.

The above noted works are approved under Section 9 of the Environmental Protection Act.

DATED AT TORONTO this 21st day of December, 1999.


S. Klose, P.Eng.,
Director,
Section 9,
Environmental Protection Act.

AK/an

c:-District Manager, MOE Kingston District Office

SCHEDULE "A"

This Schedule "A" forms part of
Certificate of Approval (Air) No. 8-4078-99-006

PARAMETER: TEMPERATURE

LOCATION:

The sample point for the Continuous Temperature Monitor shall be located in the combustion chamber where the minimum retention time of the combustion gases at a minimum temperature of 900 degrees Celsius for at least 0.75 second is achieved.

PERFORMANCE:

The Continuous Temperature Monitor shall meet the following minimum performance specifications for the following parameters.

PARAMETERS	SPECIFICATION
1. Type:	shielded "K" type thermocouple, or equivalent
2. Accuracy:	± 1.5 percent of the minimum gas temperature

DATA RECORDER:

The data recorder must be capable of registering continuously the measurement of the monitor without a significant loss of accuracy and with a time resolution of 1 minute or better.

RELIABILITY:

The monitor shall be operated and maintained so that accurate data is obtained during a minimum of 95 percent of the time for each calendar quarter.