

17. No person shall hinder or obstruct a *Provincial Officer* in the performance of their duties, including any and all inspections authorized by the *OWRA*, the *EPA* or the *PA* of any place to which this *Certificate* relates, and without limiting the foregoing to:

- a. enter upon the premises where the *Site* is located, or the location where the records required by the conditions of this *Certificate* are kept;
- b. have access to, inspect, and copy any records required by the conditions of this *Certificate*;
- c. inspect the practices, procedures, or operations required by the terms and conditions of this *Certificate*; and
- d. sample and monitor for the purposes of assessing compliance with the conditions of this *Certificate* or the *EPA*, the *OWRA* or the *PA*.

Information and Record Retention

18. Any information requested, by the *Ministry*, concerning the *Site* and its operation under this *Certificate*, including but not limited to any records required to be kept by this *Certificate* shall be provided to the *Ministry*, upon request. Records shall be retained for 5 years except for as otherwise authorized in writing by the *Director*.

19. The receipt of any information by the *Ministry* or the failure of the *Ministry* to prosecute any person or to require any person to take any action, under this *Certificate* or under any statute, regulation or other legal requirement, in relation to the information, shall not be construed as:

- a. an approval, waiver, or justification by the *Ministry* of any act or omission of any person that contravenes any term or condition of this *Certificate* or any statute, regulation or other legal requirement; or
- b. acceptance by the *Ministry* of the information's completeness or accuracy.

OPERATIONS

Operations

20. This *Site* is approved for the processing of solid non-hazardous waste limited to industrial, commercial, institutional, and construction and demolition waste. The *Site* shall be operated and maintained, and the management and disposal of all waste shall be carried out, in accordance with the *EPA, Regulation 347* and the conditions of this *Certificate*. At no time shall the discharge of a contaminant that causes or is likely to cause an adverse effect be permitted.

Hours of Operation

21. The hours of operation for the *Site* are as follows:

(a) For receiving waste:

- (i) 4:30am to 7:00pm, Monday through Friday;
- (ii) 6:00am to 5:00pm, Saturday;
- (iii) 6:00am to 5:00pm on holidays.

(b) For transportation of waste off-site:

- (i) 4:30am to 10:00pm, Monday through Friday;
- (ii) 6:00am to 7:00pm, Saturday;
- (iii) 6:00am to 7:00pm on holidays.

22. With the prior written approval of the *District Manager*, the time periods may be extended to accommodate seasonal or unusual quantities of waste.

Service Area

23. Only waste that is generated in the Province of Ontario shall be accepted at the *Site*.

Waste Types

24. Only solid non-hazardous waste limited to industrial, commercial, institutional, and construction and demolition waste shall be accepted at the *Site*.

Waste Limits, Processing and Storage

25. (a) No more than 299 tonnes of waste per day shall be accepted at the *Site*.

(b) No more than 500 tonnes of waste shall be stored or be present on-site at any time. If for any reason waste cannot be transferred from the site, the *Site* shall cease accepting waste.

(c) No more than 299 tonnes of waste per day shall be processed at the *Site*. Of that 299 tonnes, no more than 199 tonnes of waste per day shall be transported off-site for final disposal.

26. (a) All unprocessed waste shall be stored indoors.

(b) All waste stored outdoors, other than woodwaste, aggregate and metal, shall be stored in closed containers, covered trailers and/or covered concrete bunkers.

(c) No more than 60 tonnes of woodwaste and 60 cubic yards of the other waste listed in Condition 26(b) shall be stored outdoors at any time.

(d) All facility doors shall remain closed when the *Site* is not in operation.

27. (a) All waste shall be removed within 72 hours of receipt.

(b) All waste to be processed shall be processed within 48 hours of receipt.

Signage

28. A sign shall be posted and maintained at the entrance to the site in a manner that is clear and legible, and shall include the following information:

- a. the name of the *Site* and *Owner*;
- b. this *Certificate* number;
- c. the name of the *Operator*;
- d. the normal hours of operation;
- e. the allowed waste types, and any waste types explicitly prohibited by Conditions of this *Certificate*;
- f. a telephone number to which complaints may be directed;
- g. a twenty-four (24) hour emergency telephone number (if different from above); and
- h. a warning against dumping outside the *Site*.

Waste Inspection

29. All waste shall be inspected by *Trained personnel* prior to being accepted at the *Site* to ensure that the waste is of a type approved for acceptance under this *Certificate*.

30. In the event that any waste load is refused, a record shall be made in the daily log book of the reason the waste was refused and the origin of the waste.

Incoming / Outgoing Waste

31. All incoming and outgoing wastes shall be inspected by *Trained personnel* prior to being received, transferred and/or

shipped to ensure wastes are being managed and disposed of in accordance with the *EPA* and *Reg. 347*.

Labeling

32. All waste storage containers at the *Site* shall have a label or sign clearly identifying the contents.

Vermin, etc.

33. The *Site* shall be operated and maintained such that vermin, vectors, dust, litter, odour, noise and traffic do not create a nuisance.

Design and Operations Report

34. The Design and Operations Report shall consist of the items in Schedule "A", and shall be retained, kept up to date through periodic revisions, and be available for inspection by *Ministry* staff. Changes to the Design and Operations Report shall be submitted to the *Director* for approval.

Training Plan

35. A training plan shall be developed and maintained for all employees that operate the *Site*. Only *Trained personnel* may operate the *Site* or carry out any activity required under this *Certificate*.

36. The *Owner* shall ensure that *Trained personnel* are available at all times during the hours of operation of this *Site*. *Trained personnel* shall supervise all transfer or processing of waste material at the *Site*.

Site Security

37. The *Site* shall be operated and maintained in a secure manner, such that unauthorized persons cannot enter the *Site*.

Site Inspection

38. An inspection of the entire *Site* and all equipment on the *Site* shall be conducted each day the *Site* is in operation to ensure that: the *Site* is secure; that the operation of the *Site* is not causing any nuisances; that the operation of the *Site* is not causing any adverse effects on the environment; and that the *Site* is being operated in compliance with this *Certificate*. Any deficiencies discovered as a result of the inspection shall be remedied immediately, including temporarily ceasing operations at the *Site* if needed.

39. A record of the inspections, including the following information, shall be kept in the daily log book:

- a. the name and signature of person that conducted the inspection;
- b. the date and time of the inspection;
- c. a list of any deficiencies discovered;
- d. any recommendations for remedial action; and
- e. the date, time and description of actions taken.

Complaint Response

40. If at any time, the *Owner* receives complaints regarding the operation of the *Site*, the *Owner* shall respond to these complaints according to the following procedure:

- a. The *Owner* shall record and number each complaint, either electronically or in a separate log book, along with the following information:
 - i. the nature of the complaint,
 - ii. if the complaint is odour or nuisance related, the weather conditions and wind direction at the time of the complaint;
 - iii. the name, address and telephone number of the complainant (if provided); and
 - iv. the time and date of the complaint;

- b. The *Owner*, upon notification of the complaint, shall initiate appropriate steps to determine all possible causes of the complaint, proceed to take the necessary actions to eliminate the cause of the complaint, notify the *District Manager* of the complaint within 48 hours of receiving the complaint, and forward a formal reply to the complainant; and
- c. The *Owner* shall complete and retain on-site a report written within one (1) week of the complaint date, listing the actions taken to resolve the complaint and any recommendations for remedial measures, and managerial or operational changes to reasonably avoid the recurrence of similar incidents.

Emergency Response Plan

41. An Emergency Response Plan shall be prepared and provided to the *District Manager* for the *District Manager's* written approval within thirty (30) days of the date of issuance of this *Certificate*, to be implemented as required upon approval. Once approved by the *District Manager*, the *Owner* shall provide copies of the Emergency Response Plan to the local Municipality and the Fire Department within thirty (30) days of the date of the *District Manager's* written approval.
42. The Emergency Response Plan shall be kept up to date, and a copy shall be retained and accessible to all staff at all times. Changes to the Emergency Response Plan shall be submitted to the *Director* for approval.
43. The equipment, materials and personnel requirements outlined in the Emergency Response Plan shall be immediately available on the *Site* at all times. The equipment shall be kept in a good state of repair and in a fully operational condition.
44. All staff that operate the *Site* shall be fully trained in the use of the contingency and Emergency Response Plan, and in the procedures to be employed in the event of an emergency.
45. The *Owner* shall immediately take all measures necessary to contain and clean up any spill or leak which may result from the operation of this *Site* and immediately implement the emergency response plan if required.

Closure Plan

46. A Closure Plan shall be submitted to the *Director* for approval, with a copy to the *District Manager*, no later than six (6) months before the planned closure date of the *Site*. The Closure Plan shall include, at a minimum, a description of the work that will be done to facilitate closure of the *Site* and a schedule for completion of that work.
47. The *Site* shall be closed in accordance with the approved Closure Plan.
48. Within 10 days after closure of the *Site*, the *Owner* shall notify the *Director*, in writing, that the *Site* is closed and that the approved Closure Plan has been implemented.

Daily Log Book

49. A daily log shall be maintained, either electronically or in written format, and shall include the following information as a minimum:
- a. the date;
 - b. quantity and source of waste received;
 - c. quantity of waste at the *Site* at the end of the operating week;
 - d. quantities and destination of each type of waste shipped from the *Site*;
 - e. a continuous running total of the amount material entering the facility that shall be balanced with the amounts of materials leaving the facility for recycling and disposal;
 - f. a record of daily inspections required by this *Certificate*;
 - g. a record of any spills or process upsets at the site, the nature of the spill or process upset and the action taken for the clean up or correction of the spill, the time and date of the spill or process upset, and for spills, the time that the *Ministry* and other persons were notified of the spill in fulfilment of the reporting requirements in the *EPA* .
 - h. a record of any waste refusals which shall include; amounts, reasons for refusal and actions taken; and
 - i. the signature of the *Trained Personnel* conducting the inspection and completing the report.

Annual Report

50. On March 31, 2008, and on an annual basis thereafter, a written report shall be prepared for the previous calendar year ("*Annual Report*"). The Annual Report shall be submitted to the *District Manager* by March 31 of each year. The report shall include, at a minimum, the following information:

- a. a detailed monthly summary of the type and quantity of all incoming and outgoing wastes and the destination of all outgoing wastes;
- b. any environmental and operational problems, that could negatively impact the environment, encountered during the operation of the *Site* and during the facility inspections and any mitigative actions taken;
- c. any changes to the Emergency Response Plan, the Design and Operations Report and the Closure Plan that have been approved by the Director since the last *Annual Report*.
- d. any recommendations to minimize environmental impacts from the operation of the *Site* and to improve *Site* operations and monitoring programs in this regard.

Schedule "A"

This Schedule forms a part of this Certificate of Approval:

1. Application for a Provisional Certificate of Approval for a Waste Disposal Site dated May 17, 2006 and signed by Mr. Tony Morra, President, Fenmar Transfer Station and Recycling Inc., including the attached report and all supporting documentation.
2. Drawings entitled "Overall Floor Plans, Existing Building, Proposed Building" dated March 14, 2006, prepared by Jackman Engineering Ltd.
3. Letter dated September 4, 2006 from Paul MacDonald, Panama Enterprises Ltd., to Andrew Neill, MOE, containing confirmation that the amount of waste on-site will not exceed 500 tonnes, a list of equipment to be used on-site, an attached site plan, an excerpt from Toronto zoning by-law for Industrial Zone Three (M3), and requests to store brick, block, concrete, earth, granular material, and clean wood outdoors.

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 terms as used in this Provisional Certificate of Approval.
2. The reason for Conditions 2, 3, 5, 6, 7, 8, 9, 10, 11, 18 and 19 is to clarify the legal rights and responsibilities of the Owner and Operator.
3. The reason for Condition 4 is to ensure that the Site is operated in accordance with the application and supporting documentation submitted by the Company, and not in a manner which the Director has not been asked to consider.
4. The reasons for Condition 12 is to ensure that the Site is operated under the corporate name which appears on the application form submitted for this approval and to ensure that the Director is informed of any changes.
5. The reasons for Condition 13 are to restrict potential transfer or encumbrance of the Site without the approval of the Director and to ensure that any transfer of encumbrance can be made only on the basis that it will not endanger compliance with this Certificate of Approval.
6. The reason for Conditions 14, 15 and 16 is to ensure sufficient funds are available to provide for the clean-up of the Site in the event the Owner is unwilling or unable to clean up the Site.
7. The reason for Condition 17 is to ensure that appropriate Ministry staff have ready access to the Site for inspection of facilities, equipment, practices and operations required by the conditions in this Certificate of Approval. This condition is supplementary to the powers of entry afforded a Provincial Officer pursuant to the EPA and OWRA.

8. The reason for Conditions 20 and 33 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.
9. The reasons for Conditions 21 and 22 are to specify the hours of operation for the Site and a mechanism for amendment of the hours of operation, as required.
10. The reasons for Conditions 23, 24, 25, 26 and 27 are to specify the approved service area from which waste may be accepted at the Site, the types of waste that may be accepted at the Site, the amounts of waste that may be stored and processed at the Site, and the maximum rate at which the Site may receive waste based on the Company's application and supporting documentation.
11. The reason for Conditions 28 is to ensure that users of the Site are fully aware of important information and restrictions related to Site operations and access under this Certificate of Approval.
12. The reasons for Conditions 29 and 30 is to ensure that all incoming wastes are inspected to ensure compliance with this *Certificate*, and to ensure that a record is made of any waste load refusal.
13. The reason for Conditions 31 and 32 is to ensure that all wastes are properly classified to ensure that they are managed, processed and disposed in accordance with O. Reg. 347, R.R.O. 1990 and in a manner that protects the health and safety of people and the public.
14. The reason for Condition 34 is to ensure that an up-to-date Design and Operations Report is maintained on-site at all times.
15. The reason for Condition 35 and 36 is to ensure that the Site is operated by properly Trained staff in a manner which does not result in a hazard or nuisance to the natural environment or any person.
16. The reasons for Condition 37 is to ensure the controlled access and integrity of the Site by preventing unauthorized access when the Site is closed and no site attendant is on duty.
17. The reasons for Conditions 38 and 39 is to ensure that routine Site inspections are completed, and that detailed records of Site inspections are recorded and maintained for inspection and information purposes.
18. The reason for Condition 40 is to ensure that any complaints regarding Site operations at the Site are responded to in a timely manner.
19. The reasons for Conditions 41, 42, 43, 44 and 45 is to ensure that an Emergency Response Plan is developed and maintained at the Site and that staff are properly trained in the operation of the equipment used at the Site and emergency response procedures.
20. The reasons for Condition 46, 47 and 48 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.
21. The reasons for Condition 49 is to provide for the proper assessment of effectiveness and efficiency of site design and operation, their effect or relationship to any nuisance or environmental impacts, and the occurrence of any public complaints or concerns. Record keeping is necessary to determine compliance with this Certificate of Approval, the EPA and its regulations.
22. The reasons for Condition 50 are to ensure that regular review of site development, operations and monitoring data is documented and any possible improvements to site design, operations or monitoring programs are identified. An annual report is an important tool used in reviewing site activities and for determining the effectiveness of site design.

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 Review Tribunal and in accordance with Section 47 of the

CONTENT COPY OF ORIGINAL

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 Tribunal. 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 Review Tribunal
2300 Yonge St., Suite 1700
P.O. Box 2382
Toronto, Ontario
M4P 1E4

AND

The Environmental Commissioner
1075 Bay Street, 6th Floor
Suite 605
Toronto, Ontario
M5S 2B1

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**

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 leave to appeal within 15 days from the date this decision is placed on the Environmental Registry. By accessing the Environmental Registry at www.ene.gov.on.ca, you can determine when the leave to appeal period ends.

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

DATED AT TORONTO this 5th day of December, 2007

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

AN/

c: District Manager, MOE Toronto - District
Paul MacDonald, Panama Enterprises Ltd.



Ministry
of the
Environment

Ministère
de
l'Environnement

AMENDMENT TO PROVISIONAL CERTIFICATE OF APPROVAL
WASTE DISPOSAL SITE
NUMBER 3164-6R9PXX
Notice No. 1
Issue Date: August 20, 2008

GFL Transfer (Fenmar) Corp.
71 Fenmar Dr
Toronto, Ontario
M9L 1M3

Site Location: 71 Fenmar Drive
Toronto City,
M9L 1M3

You are hereby notified that I have amended Provisional Certificate of Approval No. 3164-6R9PXX issued on December 5, 2007 for a waste disposal site all in accordance with the Application for a Certificate of Approval (Waste), dated April 5, 2008 and signed by Patrick Dovigi, and all supporting information, as follows:

I. The following definitions is added to the Certificate:

"Prohibited Waste" means domestic waste, putrescible waste, processed organic waste, liquid waste, hazardous waste, or liquid industrial waste;

"Putrescible Waste" means organic waste that decomposes, such as food waste;

II. Condition 24 of the Certificate is hereby revoked and replaced with the following:

24 a) Only solid non-hazardous waste limited to industrial, commercial, institutional, and construction and demolition waste shall be accepted at the *Site*.

b) *Prohibited Waste* shall not be received at the *Site*.

III. Conditions Nos. 25 (a), 25 (b) and 25 (c) of the Certificate are hereby revoked and replaced with the following:

25. (a) No more than 799 tonnes of waste per day shall be accepted at the *Site*.

(b) No more than a total 900 tonnes of waste shall be stored or be present on-site at any time. If for any reason waste cannot be transferred from the *Site*, the *Site* shall cease accepting waste.

(c) No more than 732 tonnes or 1127 cubic metres of waste shall be stored inside the building at the *Site*.

(d) The maximum height of waste stored inside the building shall be 3.66 metres.

(e) No more than 799 tonnes of waste per day shall be processed at the *Site*. Of that 799 tonnes, no more than 540 tonnes of waste per day shall be transported off-site for final disposal.

IV. Conditions No. 26 (a), (b), (c) and (d) are hereby revoked and replaced with the following:

26. (a) All unprocessed waste shall be stored indoors.

(b) All processing of waste shall be done only indoors.

(c) The following wastes are allowed to be stored outside at the *Site*: woodwaste, metals, cardboard, and aggregate.

(d) Outside storage of cardboard shall be contained in closed containers, covered trailers and/or covered concrete bunkers in accordance with the site plans submitted to the *Ministry* by Paul MacDonald dated July 28, 2008 and July 30, 2008 and

as included in item 7 of Schedule "A".

(e) No more than 75 tonnes of woodwaste and 93 tonnes of other waste listed in Condition 26(c) shall be stored outdoors at any time.

(f) All facility doors shall remain closed when the Site is not in operation.

V. Conditions No. 49 is hereby revoked and replaced with the following:

Daily Log Book

49. The Company shall maintain at the *Site*, and have readily available for inspection by a *Provincial Officer* for a minimum of two years from the date of their creation, a daily log book or electronic file format which records the following information:

- a. the date;
- b. quantity and source of waste received;
- c. quantity of waste at the *Site* at the end of the operating week;
- d. quantities and destination of each type of waste shipped from the *Site*;
- e. a continuous running total of the amount material entering the facility that shall be balanced with the amounts of materials leaving the facility for recycling and disposal;
- f. a record of daily inspections required by this *Certificate*;
- g. a record of any spills or process upsets at the site, the nature of the spill or process upset and the action taken for the clean up or correction of the spill, the time and date of the spill or process upset, and for spills, the time that the *Ministry* and other persons were notified of the spill in fulfilment of the reporting requirements in the *EPA*.
- h. a record of any waste refusals which shall include; amounts, reasons for refusal and actions taken; and
- i. the signature of the *Trained Personnel* conducting the inspection and completing the report.

VI. Conditions 14, 15 and 16 of the *Certificate* are hereby revoked and replaced with the following:

14. The Owner shall maintain with the Ministry, within twenty (20) days of the issuance of this amendment to *Certificate*, Financial Assurance as defined in Section 131 of the EPA, in the amount of \$68,506.45. This Financial Assurance shall provide sufficient funds for the analysis, transportation, site clean-up, monitoring, supervision and disposal of all quantities of waste on the *Site* at any one time.

15.(a) Commencing on March 31, 2011 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 14. 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.

15.(b) Commencing on March 31, 2009, 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 14 for each of the intervening years in which a re-evaluation is not required to be submitted the *Director* under Condition 15(a). The re-evaluation shall be made available to the *Ministry*, upon request.

16. 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.

VII. The following items are hereby added to Schedule "A".

4. Application for a Provisional Certificate of Approval for a Waste Disposal Site dated April 5, 2008 and signed by Mr. Patrick Dovigi, CEO, GFL Transfer (Fenmar) Corp., including the attached report and all supporting documentation.

5. Letter dated June 24, 2008, from Paul MacDonald, Panama Environmental Solutions and Services, to Jim Chisholm, MOE, with attached letter dated June 25, 2008 from Kevin McClintock, P.Eng., D.L. Services Inc. containing information that included storage of waste at the site and compliance with the Fire Code.

6. E-mail on July 14, 2008 at 9:52am from Paul MacDonald to Jim Chisholm, MOE, regarding Financial Assurance.

7. Facsimiles from Paul MacDonald of Panama Environmental Solutions & Services to Jim Chisholm of the MOE dated July 28, 2008 and July 30, 2008 dealing with outdoor storage of waste.

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

1. The reason for Item I is to give clarity to the use of specific words.
2. The reason for Item II 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.
3. Item III increases the allowable amount of waste that can be received, stored, processed and removed from the site per day.
4. Item IV increases the allowable amount of processed waste that is allowed to be stored outside on *Site*.
5. Item V updates the original wording of Condition 49 to make sure that the information that is required to be recorded by the *Company* is readily available for inspection by a Provincial Officer.
6. Item VI updates the amount of Financial Assurance that is required and updates the wording for Financial Assurance requirements.
7. Item VII updates Schedule "A" which forms part of the *Certificate*.

This Notice shall constitute part of the approval issued under Provisional Certificate of Approval No. 3164-6R9PXX dated December 5, 2007

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 Review Tribunal 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 Tribunal. 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 waste disposal site is located;

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

This Notice must be served upon:

CONTENT COPY OF ORIGINAL

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

AND

The Environmental Commissioner AND
1075 Bay Street, 6th Floor
Suite 605
Toronto, Ontario
M5S 2B1

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**

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 leave to appeal within 15 days from the date this decision is placed on the Environmental Registry. By accessing the Environmental Registry at www.ene.gov.on.ca, you can determine when the leave to appeal period ends.

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

DATED AT TORONTO this 20th day of August, 2008

Tesfaye Gebrezghi, P.Eng.
Director

JC/
c: District Manager, MOE Toronto - District
Paul MacDonald, Panama Environmental solutions & Services



AMENDMENT TO PROVISIONAL CERTIFICATE OF APPROVAL
WASTE DISPOSAL SITE
NUMBER 3164-6R9PXX
Notice No. 2
Issue Date: June 22, 2009

GFL Transfer (Fenmar) Corp.
1048 Toy Ave Suite 102
Pickering, Ontario
L1W 3P1

Site Location: 71 Fenmar Drive
Toronto City,
M9L 1M3

You are hereby notified that I have amended Provisional Certificate of Approval No. 3164-6R9PXX issued on December 5, 2007 for a Waste Disposal Site (Transfer/Processing), as follows:

Condition 51 is hereby added to read as follows:

(51) To alleviate the waste disposal emergency in the City of Toronto, as described in Items (8) and (9) of Schedule "A", GFL Transfer (Fenmar) Corp. may accept all types of municipal waste that are generated from within the City of Toronto, subject to the following subconditions:

- (a) The maximum amount of waste that the Site may receive is 1000 tonnes per day;
- (b) The maximum amount of waste that may be stored on Site at any one time shall not exceed 1000 tonnes.
- (c) The maximum amount of waste leaving the site for final disposal shall not exceed 999 tonnes per day;
- (d) The Company must ensure that the Site is operated in a manner which minimizes the impacts of odour, vermin and vectors, dust, litter, and noise on the environment and the public;
- (e) GFL Transfer (Fenmar) Corp. shall only accept the waste identified in Condition 51 from June 22, 2009 through to July 22, 2009 inclusive, unless the City of Toronto and GFL Transfer (Fenmar) Corp. have reconfirmed the emergency situation and further written approval of the Director has been obtained;
- (f) Within five (5) days of the resolution of the labour strike, GFL Transfer (Fenmar) Corp. shall cease to accept waste in accordance with Condition 51;
- (g) GFL Transfer (Fenmar) Corp. shall ensure that all waste is managed and disposed in accordance with the terms and Conditions of this Certificate, and any other applicable municipal, provincial and federal requirements;
- (h) GFL Transfer (Fenmar) Corp. shall forthwith notify the District Manager, in writing, when waste receipt resulting from the labour strike is initiated and terminated;
- (i) Within ten (10) days of the termination of the emergency period defined in Condition 51(e) above, the Company shall submit a report to the District Office summarizing the records of the waste received and transferred as result of this amendment; and
- (j) The Company shall ensure that all vehicles waiting in queue are instructed to avoid engine idling.

The following items are hereby added to Schedule "A":

(8) Application to amend a Certificate of Approval dated June 19, 2009 signed by P. Dovigi, President/CEO, GFL Transfer (Fenmar) Corp. to Director T. Gebrezghi, MOE, re: request for emergency approval, including all supporting information.

(9) Letter dated June 17, 2009, signed by G. Rathbone, City of Toronto to T. Gebrezghi, MOE. re: letter supporting emergency amendments to private waste transfer stations to assist waste collection in the City of Toronto during the labour dispute.

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

1. To alleviate an emergency as defined in Section 31 of the **Environmental Protection Act** and to prevent any danger to the health and safety of the public and the environment

This Notice shall constitute part of the approval issued under Provisional Certificate of Approval No. 3164-6R9PXX dated December 5, 2007

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 22nd day of June, 2009

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

AM/
c: District Manager, MOE Toronto - District
Patrick Dovigi, GFL Transfer (Fenmar) Corp.



AMENDMENT TO PROVISIONAL CERTIFICATE OF APPROVAL
WASTE DISPOSAL SITE
NUMBER 3164-6R9PXX
Notice No. 3
Issue Date: July 22, 2009

GFL Transfer (Fenmar) Corp.
1048 Toy Ave Suite 102
Pickering, Ontario
L1W 3P1

Site Location: 71 Fenmar Drive
Toronto City,
M9L 1M3

You are hereby notified that I have amended Provisional Certificate of Approval No. 3164-6R9PXX issued on December 5, 2007 for a Waste Disposal Site (Transfer/Process), as follows:

Condition 52 is hereby added to read as follows:

(52) To alleviate the waste disposal emergency in the City of Toronto, as described in Items (10) and (11) of Schedule "A", GFL Transfer (Fenmar) Corp. may accept all types of municipal waste that are generated from within the City of Toronto, subject to the following subconditions:

- (a) The maximum amount of waste that the Site may receive is 1000 tonnes per day;
- (b) The maximum amount of waste that may be stored on Site at any one time shall not exceed 1000 tonnes.
- (c) The maximum amount of waste leaving the site for final disposal shall not exceed 999 tonnes per day;
- (d) The Company must ensure that the Site is operated in a manner which minimizes the impacts of odour, vermin and vectors, dust, litter, and noise on the environment and the public;
- (e) GFL Transfer (Fenmar) Corp. shall only accept the waste identified in Condition 52 from July 22, 2009 through to August 21, 2009 inclusive, unless the City of Toronto and GFL Transfer (Fenmar) Corp. have reconfirmed the emergency situation and further written approval of the Director has been obtained;
- (f) Within five (5) days of the resolution of the labour strike, GFL Transfer (Fenmar) Corp. shall cease to accept waste in accordance with Condition 52;
- (g) GFL Transfer (Fenmar) Corp. shall ensure that all waste is managed and disposed in accordance with the terms and Conditions of this Certificate, and any other applicable municipal, provincial and federal requirements;
- (h) GFL Transfer (Fenmar) Corp. shall forthwith notify the District Manager, in writing, when waste receipt resulting from the labour strike is initiated and terminated;
- (i) Within ten (10) days of the termination of the emergency period defined in Condition 52(e) above, the Company shall submit a report to the District Office summarizing the records of the waste received and transferred as result of this amendment; and
- (j) The Company shall ensure that all vehicles waiting in queue are instructed to avoid engine idling.

The following items are hereby added to Schedule "A":

(10) Application to amend a Certificate of Approval dated July 22, 2009 signed by P. Dovigi, President/CEO, GFL Transfer (Fenmar) Corp. to Director T. Gebrezghi, MOE, re: request for emergency approval, including all supporting information.

(11) Letter dated July 21, 2009, signed by G. Rathbone, City of Toronto to T. Gebrezghi, MOE. re: letter supporting emergency amendments to private waste transfer stations to assist waste collection in the City of Toronto during the labour dispute.

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

1. To alleviate an emergency as defined in Section 31 of the **Environmental Protection Act** and to prevent any danger to the health and safety of the public and the environment.

This Notice shall constitute part of the approval issued under Provisional Certificate of Approval No. 3164-6R9PXX dated December 5, 2007

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 22nd day of July, 2009

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

AM/
c: District Manager, MOE Toronto - District
Patrick Dovigi, GFL Transfer (Fenmar) Corp.



AMENDMENT TO PROVISIONAL CERTIFICATE OF APPROVAL
WASTE DISPOSAL SITE
 NUMBER 3164-6R9PXX
 Notice No. 4
 Issue Date: August 10, 2011

GFL Transfer (Fenmar) Corp.
 1048 Toy Ave Suite 102
 Pickering, Ontario
 L1W 3P1

Site Location: 71 Fenmar Dr
 Toronto City, Ontario
 M9L 1M3

You are hereby notified that I have amended Provisional Certificate of Approval No. 3164-6R9PXX issued on December 5, 2007 and amended on August 20, 2008, June 22, 2009, and July 22, 2009 for a Waste Disposal Site (Transfer/Processing), as follows:

I. Conditions 14, 15 and 16 of the Certificate are hereby revoked and replaced with the following:

14. The *Owner* shall maintain with the Ministry, within twenty (20) days of the issuance of this amendment to *Certificate*, Financial Assurance as defined in Section 131 of the EPA, in the amount of \$68,506.45. This Financial Assurance shall provide sufficient funds for the analysis, transportation, site clean-up, monitoring, supervision and disposal of all quantities of waste on the *Site* at any one time.

15.(a) Commencing on July 31, 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 14. 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.

15.(b) Commencing on July 31, 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 14 for each of the intervening years in which a re-evaluation is not required to be submitted the *Director* under Condition 15(a). The re-evaluation shall be made available to the *Ministry*, upon request.

16. 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.

II. The following items are hereby added to Schedule "A":

(12) Letter dated March 16, 2011 from Roy Wiltshire, General Manager, GFL Transfer (Fenmar) Corp. to Doris Dumais, Director, MOE. re: Evaluation of Financial Assurance for Provisional Certificate of Approval No. 3164-6R9PXX, including all supporting documentation.

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

The reasons for Conditions 14, 15, and 16 are to ensure that sufficient funds are available to the Ministry to clean up the

Site in the event that the Owner is unable or unwilling to do so.

This Notice shall constitute part of the approval issued under Provisional Certificate of Approval No. 3164-6R9PXX dated December 5, 2007, 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 10th day of August, 2011

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

PC/
c: District Manager, MOE Toronto - District
Roy Wiltshire, GFL Transfer (Fenmar) Corp.



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Ministry of the Environment and Climate Change
Ministère de l'Environnement et de l'Action en matière de changement
climatique

AMENDMENT TO ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 3164-6R9PXX

Notice No. 5

Issue Date: July 4, 2018

GFL Environmental Inc.
1070 Toy Ave
Pickering, Ontario
L1W 3P1

Site Location: 71 Fenmar Drive
Toronto City,
M9L 1M3

You are hereby notified that I have amended Approval No. 3164-6R9PXX issued on December 5, 2007 and amended on August 20, 2008, June 22, 2009, July 22, 2009, and August 10, 2011 for a Waste Disposal Site (Transfer/Processing) , as follows:

I. For the purposes of this Approval, the definitions of "Certificate" and "Director" are revoked and replaced with:

"Approval" or "ECA" means this entire provisional Environmental Compliance Approval document, issued in accordance with Section 20.3 of the EPA, and includes any schedules to it, the application and the supporting documentation listed in Schedule "A";

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

II. Conditions 14 and 15 of this Approval are hereby amended as follows:

14. The *Owner* shall submit to the *Ministry*, within twenty (20) days of the issuance of this amendment to *Approval*, Financial Assurance as defined in Section 131 of the EPA, for the additional amount of \$ 47,835.74 for the total amount of \$116,342.19. This Financial Assurance shall provide sufficient funds for the analysis, transportation, site clean-up, monitoring, supervision and disposal of all quantities of waste on the *Site* at any one time.

15. (a) Commencing on July 31, 2022 and at intervals of four (4) 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 14. 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*.

15. (b) Commencing on July 31, 2019, 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 14 for each of the intervening years in which a re-evaluation is not required to be submitted the *Director* under Condition 15(a). The re-evaluation shall be made available to the *Ministry*, upon request .

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

To ensure that sufficient funds are available to the *Ministry* to clean up the *Site* in the event that the *Owner* is unable or unwilling to do so.

This Notice shall constitute part of the approval issued under Approval No. 3164-6R9PXX dated December 5, 2007

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:

- a. 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;
- b. 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:

1. The name of the appellant;
2. The address of the appellant;
3. The environmental compliance approval number;
4. The date of the environmental compliance approval;
5. The name of the *Director*, and;
6. 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
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

*** 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) 326-5370 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 4th day of July,
2018

Dale Gable, P.Eng.
Director
appointed for the purposes of Part
II.1 of the *Environmental Protection
Act*

MT/
c: District Manager, MOECC Toronto - District
O'Neil Wright, GFL Transfer (Fenmar) Corp.