



Ministry  
of the  
Environment

Ministère  
de  
l'Environnement

NOTICE  
Page 1 of 3

18

Philip Enterprises Inc.  
651 Burlington Street East  
P.O. Box 423, LCD 1  
Hamilton, Ontario  
L8L 7W2

You are hereby notified that Provisional Certificate of Approval No. A 181008 dated September 6, 1996, issued to you, is being amended to allow for the following:

The name and address of the owner are changed:

1. From: Taro Aggregates Ltd.  
65 Green Mountain Road  
Stoney Creek, Ontario  
L8J 1X5

To: Philip Enterprises Inc.  
651 Burlington Street East  
P.O. Box 423, LCD 1  
Hamilton, Ontario  
L8L 7W2

2. The design and development of Phase 1B of the waste disposal site in accordance with the following plans and specifications, which are added to Schedule "A":

a. Letter from Mark A. Sungaila, Gartner Lee Limited, to A. Dominski, Ontario Ministry of the Environment, dated March 6, 1998, requesting an amendment to the Certificate of Approval, on behalf of Wayne Jackman of Philip Enterprises Inc., including the following supporting documentation:

i) report entitled "Taro East Landfill, Technical Specifications for Phase 1B Base Liner and Leachate Collection System", prepared by Gartner Lee Limited, and dated February 1998;

ii) a set of drawings, Drawings Nos. 1 to 10, entitled "Philip Services Corp., Phase 1B - Base Liner and Leachate Collection System, Taro East Landfill", prepared by Gartner Lee Limited, and dated March 1998;

b. Letter dated March 30, 1998, from Scott Snider, Turkstra Mazza Associates on behalf of Philip Enterprises Inc. to A. Dominski, Ministry of the Environment;

c. Facsimile transmission from Mark A. Sungaila, Gartner Lee Limited, to Margaret Wojcik, Ontario Ministry of the Environment, dated May 12, 1998, providing Addenda No. 1 and No. 3 to the report submitted with the request for the amendment;



Ministry  
of the  
Environment

Ministère  
de  
l'Environnement

19

NOTICE  
Page 2 of 3

- d. Facsimile transmission from Mark A. Sungaila, Gartner Lee Limited, to Margaret Wojcik, Ontario Ministry of the Environment, dated May 13, 1998, providing Addendum No.4 to the report submitted with the request for the amendment;
- e. Facsimile transmission from Mark A. Sungaila, Gartner Lee Limited, to Margaret Wojcik, Ontario Ministry of the Environment, dated May 19, 1998, providing Addendum No.5 to the report submitted with the request for the amendment;
- f. Letter from Mark A. Sungaila, Gartner Lee Limited, to Margaret Wojcik, Ontario Ministry of the Environment, dated May 25, 1998, providing additional information on the design, construction and testing details on the Phase 1B base liner and including Addendum No.2 to the report submitted with the request for the amendment;
- g. Letter from Mark A. Sungaila, Gartner Lee Limited, to Margaret Wojcik, Ontario Ministry of the Environment, dated June 1, 1998, providing additional information on the design, construction and testing details on the Phase 1B base liner;
- h. Report entitled "Taro East Quarry Landfill 1996 Phase 1A Liner and Leachate Collection System Construction Inspection Report", prepared by Gartner Lee Limited, and dated December 1996;
- i. Report entitled "Taro East Landfill 1997 Phase 1A Liner and Leachate Collection System Construction Inspection Report", prepared by Gartner Lee Limited, and dated November 1997;
- j. Report entitled "Taro East Landfill 1997 Phase 2 Liner and Leachate Collection System Construction Inspection Report", prepared by Gartner Lee Limited, and dated November 1997.

*The reason for the amendment is:*

To approve the technical specifications for Phase 1B base liner and leachate collection system and reflect the name and address of the new owner.

*In accordance with Section 139 of the Environmental Protection Act, R.S.O. 1990 c. E-19, you may by written notice served upon me and the Environmental Appeal Board 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.

87



Ministry  
of the  
Environment

Ministère  
de  
l'Environnement

20

NOTICE  
Page 3 of 3

*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;
- 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 Appeal Board,  
2300 Yonge St., 12th Floor,  
P.O. Box 2382  
Toronto, Ontario.  
M4P 1E4

AND

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

*DATED AT TORONTO this 8th day of June, 1998.*

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

MW/lf

cc: District Manager, Hamilton

Ministry of the  
Environment

250 Davisville Avenue  
Toronto ON M4S 1H2

Ministère de  
l'Environnement

250, avenue Davisville  
Toronto ON M4S 1H2



88

(21)

**APPROVALS BRANCH**

3rd Floor

Tel. (416) 314-7967

Fax (416) 314-8452

July 8, 1998

Mr. R.J. Haworth  
Regulatory Manager  
Philip Enterprises Inc.  
651 Burlington Street East  
P.O. Box 423, LCD 1  
Hamilton, Ontario  
L8L 7W2

Dear Mr. Haworth:

Re: Notice to the Provisional Certificate of Approval  
for a Waste Disposal Site No. A 130404  
Located on Part of Lots 27 & 28, Concession 6, Stoney Creek

Please find enclosed the above noted Notice amending the  
Provisional Certificate of Approval for a Waste Disposal Site.

As requested in your letter dated March 30, 1998, we have changed  
the name and the address on the Certificate of Approval for the  
approved waste disposal site, formerly owned and operated by Taro  
Aggregates Ltd.

If you have any questions with regards to the above, please contact  
Margaret Wojcik at (416) 314-7993.

Yours truly,

A. Dominski, P.Eng.  
Manager, Waste Section

MW/st  
Encl.  
cc: District Manager, Hamilton





Ministry of the Environment  
Ministère de l'Environnement

NOTICE  
Page 1 of 2

22

Philip Enterprises Inc.  
651 Burlington Street East  
P.O. Box 423, LCD 1  
Hamilton, Ontario  
L8L 7W2

*You are hereby notified that the Provisional Certificate of Approval No. A 130404, dated October 14, 1980, is being amended as follows:*

1. The name and address on the Provisional Certificate of Approval is changed:

From: Taro Aggregates Limited  
65 Green Mountain Road  
Stoney Creek, Ontario  
L8J 1X5

To: Philip Enterprises Inc.  
651 Burlington Street East  
P.O. Box 423, LCD 1  
Hamilton, Ontario  
L8L 7W2

2. The following document is added to Schedule "A":

1. Letter dated March 30, 1998 from Scott Snider, Turkstra, Mazza Associates, to A. Dominski, Approvals Branch, Ministry of the Environment, on behalf of Philip Enterprises Inc.

*In accordance with Section 139 of the Environmental Protection Act, R.S.O. 1990 c. E-19, you may by written notice served upon me and the Environmental Appeal Board 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;  
the grounds on which you intend to rely at the hearing in relation to each portion appealed.



Ministry  
of the  
Environment

Ministère  
de  
l'Environnement

90  
NOTICE  
Page 2 of 2

23

*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;
- 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 Appeal Board,  
2300 Yonge St., 12th Floor,  
P.O. Box 2382  
Toronto, Ontario.  
M4E 1E4

AND

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

*DATED AT TORONTO this 8th day of July, 1998.*

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

MW/st

cc: District Manager, Hamilton

**Ministry of the Environment**

**Ministère de l'Environnement**



Environmental Assessment and Approvals Branch  
250 Davisville Avenue, 3<sup>rd</sup> Floor  
Toronto ON M4S 1H2

Direction des évaluations environnementales et des autorisations  
250, avenue Davisville, 3<sup>e</sup> étage  
Toronto ON M4S 1H2

Tel/Tél (416) 314-7967  
Fax/Téloc (416) 314-8452

April 12, 1999

24

Mr. Wayne Jackman  
Philip Enterprises Inc.  
651 Burlington Street East  
P.O. Box 423, LCD 1  
Hamilton, Ontario  
L8J 1X5

Dear Mr. Jackman:

Re: Amendment to Provisional Certificate of Approval No. A 181008  
Taro East Landfill Site

Enclosed please find a Notice amending the existing Certificate of Approval to allow you to design and develop Phase 3 of the Taro East Landfill Site.

Please remember that all Terms and Conditions of the existing Certificate of Approval will remain unchanged.

Yours truly,

A. Dominski, P.Eng., Manager  
Waste Section

TG/st  
Encl.  
cc: District Manager, Hamilton



Ministry of the Environment  
Ministère de l'Environnement

NOTICE  
Page 1 of 2

Ontario

25

Philip Enterprises Inc.  
651 Burlington Street East  
P.O. Box 423, LCD 1  
Hamilton, Ontario  
L8J 1X5

*You are hereby notified that the Provisional Certificate of Approval No. A 181008 dated September 6, 1996, and as amended through all subsequent Notices, is further amended as follows:*

Approval is hereby granted for the design and development of Phase 3 of the Taro East Landfill Site.

Changes were made in accordance with the following documents, which are added to Schedule "A" of the existing Certificate of Approval:

1. A letter dated April 7, 1999 to Mr. A. Dominski of MOE, from Wayne Jackman of Philip Enterprises Inc., requesting approval for Phase 3 of the Taro East Waste Disposal Site.
2. Gartner Lee report titled "Technical Specifications for Taro East Landfill Site-Phase 3 Base Liner and Leachate Collection System, Stoney Creek, Ontario", dated March 10, 1999.
3. Addendum to the report mentioned in item 2 above dated March 19, 1999, from Mark Sungaila of Gartner Lee to A. Dominski, MOE.
4. Set of drawings, Drawings 1 to 14, titled "Philip Services Corp., Phase 3-Base Liner and Leachate Collection System, Taro East landfill", dated March 1999.

*The reason for this amendment is to ensure that the site is operated in an environmentally safe manner.*

*In accordance with Section 139 of the Environmental Protection Act, R.S.O. 1990 c. E-19, you may by written notice served upon me and the Environmental Appeal Board within 15 days after receipt of 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:*





Ministry  
of the  
Environment

Ministère  
de  
l'Environnement

NOTICE  
Page 2 of 2

26

93

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;
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:*

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

AND

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

*DATED AT TORONTO this 12th day of April, 1999.*

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

TG/st

: District Manager, Hamilton

94

**Ministry of the  
Environment**

Environmental Assessment and  
Approval Branch  
250 Denison Avenue, 3<sup>rd</sup> Floor  
Toronto ON M4S 1H2

**Ministère de  
l'Environnement**

Direction des évaluations  
environnementales et des autorisations  
250, avenue Denison, 3<sup>e</sup> étage  
Toronto ON M4S 1H2



Tel/Tél (416) 314-8462  
Fax/Télé (416) 314-8452

May 12, 1999

29

SENT BY FAX: (905) 548-8468

Mr. Michael Jovanovic  
Sr. Vice-President, Regulatory Affairs  
Philips Enterprises Inc.  
651 Burlington St. E., Box 423  
Hamilton, Ontario L8L 7W2

Dear Sir:

Re: Amendment to Provisional Certificate of Approval  
for a Waste Disposal Site No. A 181008  
Taro East Landfill - Financial Assurance

Attached is a notice of amendment for Provisional Certificate of Approval No. A 181008 for the Taro East Landfill Site.

The Notice incorporates the necessary conditions of approval to facilitate the use of an insurance policy as financial assurance for the Taro East Landfill Site. We note that you have agreed to these conditions and waived your right to appeal, as per your letter to Mr. Dominick, Manager, Waste Section, dated March 8, 1999.

With these conditions now in place, I hereby notify you that I accept Insurance Policy number EPP5295613 issued to Philip Services Corp. by Commerce and Industry Insurance Company of Canada, including Endorsement's 1 to 13 and Side Agreement dated March 4, 1999, as financial assurance for the Taro Landfill Site as required by Provisional Certificate of Approval No. A 181008 dated September 6, 1996. This acceptance is in accordance with my letter of February 12, 1999.

If you have any questions or concerns please contact me at the above number.

Sincerely,

W. Gregson, P. Eng.  
(A) Director

Encl.

AD/mb

c.c.: Ed Gill, Hamilton  
John Percy, Hamilton



Ministry  
of the  
Environment

Ministère  
de  
l'Environnement

NOTICE  
Page 1 of 2

28

96

Philips Enterprises Inc.  
651 Burlington St. E., Box 423  
Hamilton, Ontario  
L8L 7W2

*You are hereby notified that Provisional Certificate of Approval No. A 181008 dated September 6, 1996 as amended, issued to you, is amended as follows:*

1. The Provisional Certificate of Approval is hereby amended to reflect the reorganization of the Ontario Ministry of Environment and Energy as the Ontario Ministry of the Environment and shall be read with all the necessary changes.
2. The Provisional Certificate of Approval is amended by adding the following conditions:
  - 87.2 In the event that the financial assurance is in a non cash form, such as an irrevocable letter of credit or an insurance policy, and an event occurs which may result in the termination of the financial assurance including, in the case of an insurance policy, that the policy will expire or be cancelled and the Company has not provided alternate financial assurance satisfactory to the Director within such period as the Director allows, the Company shall forthwith take such steps as are necessary to close the site down and put it into a permanent stable condition and shall commence any post closure activities provided for in this approval.
  - 87.3 The Director shall allow at least 30 days under Condition 87.2 unless that 30 day period will not allow at least an additional 60 days before the termination of the financial assurance becomes effective.
  - 87.4 When financial assurance is presented in documentary form and the documentary form provides for a deductible or for premiums the Company shall provide additional financial assurance in the form of cash or an irrevocable letter of credit in an amount equal to at least the sum of the deductible and one year's premiums. The irrevocable letter of credit may require the Director to certify that the money is required to satisfy a claim for a deductible or to pay premiums for the documentary financial assurance.

Transfer of Ownership or Reorganization

- 90.1 If the Company is reorganized or the ownership or operation of the site is sold or transferred in any way to another person, the Company shall remain jointly and severally responsible for the performance of all the provisions of this Provisional Certificate of Approval with each of its successors who each shall similarly remain jointly and severally responsible except to the extent provided for in Condition 90.2.



Ministry  
of the  
Environment

Ministère  
de  
l'Environnement

NOTICE  
Page 2 of 2

29

96

90.2 The financial assurance provided by the Company, or any successor, shall be kept in good standing by the Company and each of their successors until the Director has given notice in writing that he has accepted substitute financial assurance in full satisfaction of the financial assurance obligation released by such notice.

*The reason for the addition of the above conditions are as follows:*

1. To reflect the reorganization of the Ontario Ministry of the Environment.
2. To provide for the use of an insurance policy as financial assurance in a form acceptable to the Director.

DATED AT TORONTO this 12th day of May, 1999.

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



Ontario

Ministry of the Environment  
Ministère de l'Environnement

NOTICE

Philip Enterprises Inc.  
651 Burlington Street East  
P.O. Box 423, LCD 1  
Hamilton, Ontario  
L8L 7W2

*You are hereby notified that Provisional Certificate of Approval No. A 181008 dated September 6, 1996 and all subsequent Notices, are being amended as follows:*

The postal code for Philips Enterprises Inc. is changed:

From: L8J 1X5

To: L8L 7W2

The reason for this change is to provide for the correct postal code.

*In accordance with Section 139 of the Environmental Protection Act, R.S.O. 1990 c. E-19, you may by written notice served upon me and the Environmental Appeal Board 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;
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 Appeal Board,  
2300 Yonge St., 12th Floor,  
P.O. Box 2382  
Toronto, Ontario.  
M4P 1E4

AND

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

DATED AT TORONTO this 12th day of May, 1999.

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

c.: District Manager, Hamilton



Ministry  
of the  
Environment

Ministère  
de  
l'Environnement

Philip Enterprises Inc.  
651 Burlington Street East  
P.O. Box 423, LCD 1  
Hamilton, Ontario  
L8L 7W2

NOTICE

30

You are hereby notified that Provisional Certificate of Approval No. A 181008 dated September 6, 1996 and all subsequent Notices, are being amended as follows:

The postal code for Philips Enterprises Inc. is changed:

From: L8J 1X5

To: L8L 7W2

The reason for this change is to provide for the correct postal code.

In accordance with Section 139 of the Environmental Protection Act, R.S.O. 1990 c. E-19, you may by written notice served upon me and the Environmental Appeal Board 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;
8. The municipality within which the waste disposal site is located;

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

This Notice must be served upon:

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

AND

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

DATED AT TORONTO this 12th day of May, 1999.

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

c.: District Manager, Hamilton

**Ministry of the  
Environment**

**Ministère de  
l'Environnement**



**Environmental Assessment and  
Approvals Branch**  
250 Davisville Avenue, 3<sup>rd</sup> Floor  
Toronto ON M4S 1H2

**Direction des évaluations  
environnementales et des autorisations**  
250, avenue Davisville, 3<sup>e</sup> étage  
Toronto ON M4S 1H2

Tel/Tél (416) 314-7967  
Fax/Télé (416) 314-8452

May 12, 1999

Mr. M. Jovanovic  
Philip Services Corp.  
651 Burlington Street E.  
P.O. Box 423, LCD 1  
Hamilton, Ontario  
L8L 7W2

MAY 24 1999

ENVIRONMENTAL AFFAIRS

Dear Mr. Jovanovic:

Attached is a Notice of Amendment affecting Provisional Certificate of Approval No. A 181008 for the Taro East Landfill Site. The amendment requires that sufficient funds from the operating revenues of the Taro East Landfill Site be made available to fund closure, monitoring and maintenance of the Taro West Landfill Site.

You will also note that the usual Notice of Appeal provisions have been omitted, as you have notified the Ministry of your intent to waive your right to appeal. The draft Notice was served on you May 10, 1999.

Attached are two additional Notices affecting the Taro East Landfill Site and Taro West Landfill Site, Provisional Certificates of Approval Nos. A 181008 and A 130404 respectively which correct an error to the postal code for Philip Enterprises Inc.

Should you have any questions please call me at the above number.

Sincerely,

A handwritten signature in black ink, appearing to be "A. Dominski", written over a faint circular stamp.

A. Dominski, P. Eng., Manger  
Waste Section

Encl.  
AD/nb



Ontario

Ministry of the Environment  
Ministère de l'Environnement

NOTICE  
Page 1 of 2

Philip Enterprises Inc.  
651 Burlington Street East  
P.O. Box 423, LCD 1  
Hamilton, Ontario  
L8L 7W2

*You are hereby notified that the Provisional Certificate of Approval No. A 181008 dated September 6, 1996, and as amended through all subsequent Notices, is further amended as follows:*

The following Condition 92 is added to the Provisional Certificate of Approval:

92. Sufficient funds from the operating revenue from the Site to pay for the costs of closing, monitoring and maintenance of the West Quarry Landfill Site, in accordance with its Provisional Certificate of Approval number A 130404, shall be used for that purpose.
- (1) For the purpose of Condition 92, "sufficient funds" means as a minimum, the costs associated with the closure, monitoring and maintenance of the Taro West Quarry Landfill as required by Provisional Certificate of Approval number A 130404 and as outlined in the document titled "Taro West Quarry Landfill, Financial Assurance Proposal, March 6, 1997" submitted by the Company.
  - (2) Condition 92 becomes null and void in its entirety upon submission of financial assurance in a form and amount acceptable to the Director that provides for sufficient funds for the closure, monitoring and maintenance of the Taro West Quarry Landfill, in accordance with its Provisional Certificate of Approval number A 130404.

*The reason for the addition of Condition 92 is as follows:*

1. The Site and the West Quarry Landfill Site share some common physical features such as drainage and leachate control and installations for the monitoring of surface water and ground water, so that the facilities at the West Quarry Landfill Site must be completed and maintained properly in conjunction with facilities at the Landfill Site to ensure the proper control of drainage and leachate at each. The plan by the Company for its West Quarry Landfill Site provides for the completion of work at the West Quarry Landfill Site to be funded by revenue from the Site and that this revenue will act as Financial





Ontario

Ministry of the Environment  
Ministère de l'Environnement

NOTICE  
Page 2 of 2

Assurance under the EPA for such purpose until other Financial Assurance is provided, and this Condition is to formally incorporate the Company's plan as a requirement in Provisional Certificate of Approval number A 181008.

*DATED AT TORONTO this 12th day of May, 1999.*

---

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

AD/st  
c: District Manager, Hamilton

101

**Ministry of the Environment**

**Ministère de l'Environnement**



34

Environmental Assessment and Approvals Branch  
2 St. Clair Ave. W., Floor 12A  
Toronto ON M4V 1L5

Direction des évaluations environnementales et des autorisations  
2, avenue St. Clair Ouest, 12<sup>e</sup> étage  
Toronto ON M4V 1L5

Tel/Tél (416) 314-7963  
Fax/Télé (416) 314-8452

January 24, 2000.

Wayne Jackman  
Environmental Engineering Manager  
Philip Services  
65 Green Mountain Road  
Stoney Creek  
Ontario, Canada  
L8J 1X5

**RECEIVED FEB 1 2000**

Dear Mr. Jackman:

**Re: Financial Assurance, Taro East Landfill, Certificate of Approval No. A181008**

This letter will acknowledge the receipt of your letter of November 24, 1999, and a copy of the renewed Certificate of Environmental Liability Insurance submitted as a coverage for Financial Assurance as per Condition 85 of the Provisional Certificate of Approval. By copy of this letter, we are forwarding the Certificate of Environmental Liability Insurance to our Business and Fiscal Planning Branch for safe keeping.

As well, the report by Gartner Lee Limited titled "Taro Aggregates Ltd., Taro East Landfill, Financial Assurance Update", dated October, 1999, submitted to satisfy Condition 88 of the Provisional Certificate of Approval has been reviewed by our office and deemed to be acceptable. Accordingly, Schedule "H" of the existing Certificate of Approval has been amended to reflect changes in annual amounts required for Financial Assurance. As you have already submitted Financial Assurance for the year 1999, the amounts indicated in the revised Schedule will be applicable effective the requirement date of the year 2000. The Notice of amendment is attached to this letter.

As per our agreement, we would also like to remind you to replace the existing Insurance Policy of Financial Assurance with a letter of credit promptly.

Please contact Tes Gebrezghi at (416) 314-8256 if you have any questions.

Yours truly,

A. Dominski, P.Eng.  
Supervisor, Waste Approvals

Enclosure  
TG/dl

cc: Manager, Hamilton District Office  
Victor Ramdeo, MOE Business and Fiscal Planning Branch



Ministry of the Environment  
Ministère de l'Environnement

NOTICE  
Page 1 of 2

102  
35

Philip Services Corp.  
651 Burlington Street East, Box 423  
Hamilton, Ontario  
L8L 7W2

*You are hereby notified that Provisional Certificate of Approval No. A181008 dated September 6, 1996, and as amended through all subsequent Notices, is further amended as follows:*

Schedule "H" of the existing Provisional Certificate of Approval has been replaced with the attached Schedule "H1".

*The reason for the revocation and replacement of Condition "H" is:*

To reflect changes in the amount of annual Financial Assurance required as per Condition 88 of the existing Provisional Certificate of Approval.

Amendment was made in accordance with the following documents which will form part of Schedule "A" of the existing Provisional Certificate of Approval:

1. Report by Gartner Lee Limited titled "Taro Aggregates Ltd., Taro East Landfill, Financial Assurance Update dated October, 1999.
2. Letter dated October 29, 1999, from Wayne Jackman, Philip Services Corp., to M. Williams, Environmental Assessment and Approvals Branch

*In accordance with Section 139 of the Environmental Protection Act, R.S.O. 1990 c. E-19, you may by written notice served upon me and the Environmental Appeal Board 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.



Ministry of the Environment  
Ministère de l'Environnement

103  
NOTICE  
Page 2 of 2

36

*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;
8. The municipality within which the waste management system is located;

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

*This Notice must be served upon:*

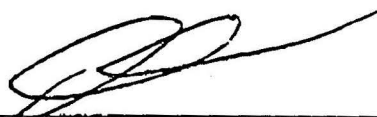
The Secretary,\*  
Environmental Appeal Board,  
2300 Yonge St., 12th Floor,  
P.O. Box 2382  
Toronto, Ontario.  
M4P 1E4

AND

The Director,  
Section 39, Environmental Protection Act,  
Ministry of Environment,  
2 St. Clair Ave. W., 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 e-mail: [www.ert.gov.on.ca](http://www.ert.gov.on.ca).

*DATED AT TORONTO this 24th day of January, 2000.*



---

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

TG/dl

- c. Manager, Hamilton District Office  
Victor Ramdeo, MOE Business and Fiscal Planning Branch



Ministry of the Environment  
 Ministère de l'Environnement

37

**Schedule "H1"**

*This Schedule "H1" forms part of the Provisional Certificate of Approval No. A181008*

**Financial Assurance Quantity and Schedule**

<i>Requirement Date for Financial Assurance</i>	<i>Amount(\$) Emergency Closure</i>	<i>Amount(\$) Planned Closure</i>
1996		
1997		
1998		
1999		
2000	12,142,015	12,142,015
2001		12,918,354
2002		13,694,693
2003		14,471,032
2004		15,247,371
2005		16,032,710
2006	16,800,050	16,800,050
2007		17,702,655
2008		18,605,260
2009		19,507,864
2010		20,410,469
2011		21,313,074
2012		22,215,679
2013	23,118,284	23,118,284
2014		20,538,018
2015		17,957,751
2016		15,377,484



Ministry of the Environment  
Ministère de l'Environnement

AMENDMENT TO PROVISIONAL CERTIFICATE OF APPROVAL  
WASTE DISPOSAL SITE  
NUMBER A181008  
Notice No. 2

38

Philip Services Inc.  
519 Parkdale Ave. North, P.O. 423  
Hamilton, Ontario  
L8H 5Y6

Site Location: Taro East Quarry Landfill Site  
Part of Lots 25 and 26, Concession 6  
Stoney Creek City, Regional Municipality of Hamilton-Wentworth

*You are hereby notified that I have amended Provisional Certificate of Approval No. A181008 issued on September 6, 1996, for the disposal of waste, as follows:*

Approval is hereby granted for the construction of Phase 1C and 3B at the Taro West Quarry Landfill Site, all in accordance with the following supporting documentation prepared by Gartner Lee Limited:

1. Technical Specifications for Taro East Landfill Site - Phase 1C and 3B Base Liner and Leachate Collection System, Stoney Creek, Ontario, dated January 2001.
2. Design Drawings for Phase 1C and 3B, numbered 1 to 22, dated January 2001.

**This Notice shall constitute part of the approval issued under Provisional Certificate of Approval No. A181008 dated September 6, 1996, as amended.**

*In accordance with Section 139 of the Environmental Protection Act, R.S.O. 1990, Chapter E-19, as amended, you may by written notice served upon me and the Environmental Appeal Board within 15 days after receipt of this Notice, require a hearing by the Board. 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;

39

- he 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 Appeal Board  
 2300 Yonge St., 12th Floor  
 P.O. Box 2382  
 Toronto, Ontario  
 M4P 1E4


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 Appeal Board's requirements for an appeal can be obtained directly from the Board at: Tel: (416) 314-4600, Fax: (416) 314-4506 or [www.ert.gov.on.ca](http://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 6th day of April, 2001

  
 Dave Staseff, P.Eng.  
 Director  
 Section 39, *Environmental Protection Act*

TG/  
 c: District Manager, MOE Hamilton - District  
 Edward San, Gartner Lee Limited

40

107



Ministry of the Environment  
Ministère de l'Environnement

AMENDMENT TO PROVISIONAL CERTIFICATE OF APPROVAL  
WASTE DISPOSAL SITE  
NUMBER A181008  
Notice No. 2

Philip Services Inc.  
519 Parkdale Ave. North, P.O. 423  
Hamilton, Ontario  
L8H 5Y6

MAY 10 2001

Site Location: Taro East Quarry Landfill Site  
Part of Lots 25 and 26, Concession 6  
Stoney Creek City, Regional Municipality Of Hamilton-Wentworth

*You are hereby notified that I have amended Provisional Certificate of Approval No. A181008 issued on September 6, 1996, as amended, for the disposal of waste, as follows:*

The Notice dated April 6, 2001, to amend this Certificate is hereby revoked due to a typographical error in the site name.

Approval is hereby granted for the construction of Phase 1C and 3B at the Taro East Quarry Landfill Site, all in accordance with the following supporting documentation prepared by Gartner Lee Limited:

1. Report titled "Technical Specifications for Taro East Landfill Site-Phase 1C and 3B Base Liner and Leachate Collection System, Stoney Creek, Ontario", dated January 2001.
2. Design Drawings for Phase 1C and 3B, numbered 1 to 22, dated January 2001.

**This Notice shall constitute part of the approval issued under Provisional Certificate of Approval No. A181008 dated September 6, 1996, as amended.**

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



41

108

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

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 Appeal Board's requirements for an appeal can be obtained directly from the Board at: Tel: (416) 314-4600, Fax: (416) 314-4506 or [www.ert.gov.on.ca](http://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 4th day of May, 2001



Dave Staseff, P.Eng.  
 Director  
 Section 39, *Environmental Protection Act*

TG/

c: District Manager, MOE Hamilton - District  
 Edward San, Gartner Lee Limited

RECEIVED NOV 26 2001

Ministry of the Environment  
Environmental Assessment and  
Approvals Branch  
Floor 12A  
2 St Clair Ave W  
Toronto ON M4V 1L5  
Fax: 416-314-8452  
Telephone: (416) 314-8183

Ministère de l'Environnement  
Direction des évaluations et des  
autorisations environnementales  
Étage 12A  
2 av St Clair O  
Toronto ON M4V 1L5  
Télécopieur: 416-314-8452  
Téléphone : (416) 314-8183



November 19, 2001

Wayne Jackman, Environmental Engineering Manager  
Philip Services Inc.  
65 Green Mountain Road  
Stoney Creek, Ontario  
L8J 1X5

Dear Sir/Madam:

**Re: Application for Approval of Waste Disposal Sites  
Amendment to Certificate of Approval A181008  
Stoney Creek City, Regional Municipality Of Hamilton-Wentworth  
MOE Reference Number 7647-4SLPMD**

Enclosed is a Notice which amends Provisional Certificate of Approval No. A181008. Approval has been granted for the construction of a leachate forcemain at the Taro East Landfill Site.

You are reminded that your Company shall obtain and submit an agreement in writing with the City of Hamilton to the Director prior to any discharge of leachate from the Taro East Landfill Site to the City of Hamilton's sanitary sewer. The agreement shall include a development and implementation plan for a notification system under which the Company will hold back the leachate at the Taro East Landfill Site during by-pass and upset events at the Woodward Avenue Waste Water Treatment Plant (WWTP).

Your Company shall not discharge any leachate from the Taro East Landfill Site to the Woodward Avenue Waste Water Treatment Plant WWTP until an evaluation of the impact of the combined Taro West and East Landfill leachates on the Woodward Avenue WWTP through experimental wastewater treatment pilot plant tests together with scans of metals and trace organics removal and accumulation in biosolids, as recommended in the Final Report, Taro East Landfill, Expert Panel, dated October 2000 has been carried out and these pilot plant tests show the discharge of leachate from the Taro West and East Landfill leachate to the Woodward Avenue WWTP is acceptable to the City of Hamilton.

If you have any questions regarding the above, please contact me at the above phone number.

Yours truly,

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

George W. Lai, P. Eng.

Senior Engineer

Certificate of Approval Review Section

- c: District Manager, MOE Hamilton - District  
Kevin Christenson, Clerk, City of Hamilton



Ontario

Ministry of the Environment  
Ministère de l'Environnement

AMENDMENT TO PROVISIONAL CERTIFICATE OF APPROVAL  
WASTE DISPOSAL SITE  
NUMBER A181008  
Notice No. 2

Philip Services Inc.  
65 Green Mountain Road,  
Stoney Creek, Ontario,  
L8J 1X5

Site Location: Taro East Quarry Landfill Site  
Part of Lots 25 and 26, Concession 6  
Stoney Creek City, Regional Municipality Of Hamilton-Wentworth

*You are hereby notified that I have amended Provisional Certificate of Approval No. A181008 issued on September 6, 1996 and as amended for the use and operation of a 59.1 ha (146 acres) landfill site within a total site area of 75.1 ha (185.5 acres), as follows:*

Approval is hereby granted, as required by Condition 13 of the above noted Certificate of Approval, for the construction and operation of a 200 mm diameter leachate forcemain, in accordance with the following documents and subject to the following Terms and Conditions:

1. Letter dated December 18, 2000 from Wayne Jackman, Environmental Engineering Manager, Philip Services Inc. to Mr. A. Dominski, P. Eng. Supervisor, Waste Unit, Environmental Assessment and Approvals Branch, Ministry of the Environment, regarding approval of temporary leachate forcemain at the Taro East Landfill and the following attached documents:
  - a) Letter dated November 21, 2000 from Chris Caers, M.E.Sc., P. Eng., Project Manager, Earth Tech Canada Inc. to Mr. Wayne Jackman, Philip Services Inc. regarding proposed leachate forcemain construction;
  - b) Drawing No. A4-90K46 -G1 - Taro Aggregates Ltd., City of Stoney Creek, West Quarry Landfill Temporary Forcemain, dated November, 2000, prepared by Earth Tech (Canada) Inc.;
  - c) Specifications for the Leachate Forcemain;
  - d) Drawing No. A1-90K46 -P2 - Taro West Landfill, Temporary Forcemain, dated November, 2000, prepared by Earth Tech (Canada) Inc..
2. Letter dated February 22, 2001 from Frank Falcone, C.E.T., Senior Technologist, Earth Tech Canada Inc. to George Lai, P. Eng. Environmental Assessment and Approvals Branch regarding Taro Landfill - Temporary Forcemain with the following Drawing:

- a) Drawing No. A1-90K46 -P2 - Taro West Landfill, Temporary Forcemain, dated November, 2000, revised December 1, 2000, signed February 22, 2001 by C.J.E. Caers, Earth Tech (Canada) Inc..
3. Fax dated March 1, 2001 from Karla Everard, Earth Tech (Canada) Inc. to George Lai, MOE regarding hydraulic calculations of the proposed leachate forcemain including the following documents:
  - a) Memo dated January 3, 2001 from Everard to Frank Falcone regarding design flowrate of the proposed leachate forcemain;
  - b) Proposed leachate forcemain hydraulic analysis.
4. Final Report, Taro East Landfill, Expert Panel, dated October 2000.

### **Terms and Conditions**

94. The discharge of leachate from the Taro East Landfill Site through the proposed leachate forcemain to the City of Hamilton's sanitary sewer shall not be allowed until Conditions 95 and 96 of this Notice are approved in writing by the Director.
5. Pursuant to Condition 39.3 of Provisional Certificate of Approval No. 181008 dated September 6, 1996, the Company shall obtain and submit an agreement in writing with the City of Hamilton to the Director prior to any discharge of leachate from the Taro East Landfill Site to the City of Hamilton's sanitary sewer. The agreement shall include a development and implementation plan for a notification system under which the Company will hold back the leachate at the Taro East Landfill Site during by-pass and upset events at the Woodward Avenue Waste Water Treatment Plant (WWTP).
96. The Company shall not discharge any leachate from the Taro East Landfill Site to the Woodward Avenue Waste Water Treatment Plant WWTP until an evaluation of the impact of the combined Taro West and East Landfill leachates on the Woodward Avenue WWTP through experimental wastewater treatment pilot plant tests together with scans of metals and trace organics removal and accumulation in biosolids, as recommended in the Final Report, Taro East Landfill, Expert Panel, dated October 2000 has been carried out and these pilot plant tests show the discharge of leachate from the Taro West and East Landfill leachate to the Woodward Avenue WWTP is acceptable to the City of Hamilton.
97. Any leachate discharge from the Taro East Landfill Site to the City of Hamilton's sanitary sewer shall be in accordance with the City of Hamilton Sewer Use By-law.

The reason(s) for this amendment to the Certificate of Approval is (are) as follows:

1. Conditions 94, 95 and 97 are imposed to ensure that the City of Hamilton agrees to allow the discharge of leachate from Taro East Landfill Site to the City's sanitary sewer and the downstream wastewater treatment facility has sufficient capacity to treat the leachate.

2. Condition 96 is imposed to ensure that the Company shall comply with Recommendation 6 a) of Section 8.3.4 - Summary of Leachate Recommendations in the Final Report, Taro East Landfill, Expert Panel, dated October, 2000.

All conditions on the original Certificate of Approval and as amended, which are not affected by this Notice, shall remain in effect.

**This Notice shall constitute part of the approval issued under Provisional Certificate of Approval No. A181008 dated September 6, 1996**

*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  
2300 Yonge St., 12th Floor  
P.O. Box 2382  
Toronto, Ontario  
M4P 1E4

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](http://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 19th day of November, 2001



---

Ian Parrott, P.Eng.  
Director  
Section 39, *Environmental Protection Act*

GL/

c: District Manager, MOE Hamilton - District  
Wayne Jackman, Philip Services Inc.  
Kevin Christenson, Clerk, City of Hamilton