

RECEIVED FEB 18 2002



Ontario

Ministry of the Environment
Ministère de l'Environnement

AMENDMENT TO PROVISIONAL CERTIFICATE OF APPROVAL
WASTE DISPOSAL SITE
NUMBER A181008
Notice No. 5

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 amended May 6, 2000, April 6, 2001, May 4, 2001 and November 19, 2001 for a waste disposal site (landfill), as follows:

This Certificate has been amended to extend the deadline for Financial Assurance adjustment for 2001 from December 31, 2001 to March 31, 2002.

I. Schedule "H" is hereby revoked and replaced by:

SCHEDULE "H"

This Schedule "H" forms part of the Provisional Certificate of Approval No. A 181008.

FINANCIAL ASSURANCE QUANTITY AND SCHEDULE

| REQUIREMENT DATE FOR FINANCIAL ASSURANCE | AMOUNT (\$) |
|--|---------------|
| 1996 | \$ 8,930,512 |
| 1997 | \$ 9,698,395 |
| 1998 | \$ 10,466,278 |
| 1999 | \$ 11,234,160 |
| 2000 | \$ 12,002,043 |
| March 31, 2002 | \$ 13,062,209 |
| 2002 | \$ 14,122,375 |
| 2003 | \$ 15,182,541 |
| 2004 | \$ 16,242,706 |
| 2005 | \$ 17,302,872 |
| 2006 | \$ 18,363,038 |
| 2007 | \$ 19,317,373 |
| 2008 | \$ 20,271,708 |
| 2009 | \$ 21,226,043 |
| 2010 | \$ 22,180,377 |
| 2011 | \$ 23,134,712 |
| 2012 | \$ 24,089,047 |
| 2013 | \$ 25,043,382 |
| 2014 | \$ 22,170,876 |
| 2015 | \$ 19,298,370 |
| 2016 | \$ 16,425,864 |

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

16. Letter dated December 17, 2001 from Michael Jovanovic, PSC, to Ian Parrott, MOE, re: Taro Landfill Financial Assurance C of A A181008.
17. Letter dated December 24, 2001 from Michael Jovanovic, PSC, to Ian Parrott, MOE, re: Application to Amend Provisional Certificate of Approval A181008, Philip Services Inc. Taro East Landfill, Financial Assurance Condition 85.

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

1. To approve the request of the Company to extend the deadline for Financial Assurance adjustment.

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

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

DATED AT TORONTO this 8th day of February, 2002



Ian Parrott, P.Eng.
Director

Section 39, *Environmental Protection Act*

AN/

c: District Manager, MOE Hamilton - District
Michael Jovanovic, Philip Services Inc.



Ministry of Environment

2 St. Clair Avenue West, 12th Floor
Toronto, Ontario M4V 1L5

TELECOPIER/FAX COVER SHEET

Date

February 28, 2002

To

| | |
|---|------------------------------|
| Telecopier/Fax No. (905) 578-7533 | City/Town Hamilton |
| Ministry/Company Philip Services Inc. | Branch/Dept. |
| Name Michael Jovanovich | Position |

Please contact the sender:

- If you do not receive the number of pages specified, or if you have trouble reading the copy
- If you have received this facsimile in error. This facsimile is intended solely for the person/organization to whom it is addressed.

FROM

| | | |
|---|---|---|
| Telecopier/Fax No. (416) 314-8452 | Telephone No. (416) 314-8438 | No. of Pages (including this sheet) 4 |
| Branch Environmental Assessment and Approvals | Section Application Evaluation - Waste Unit | |
| Name Andrew Neill | Position Waste Evaluator | |

Message

Michael,

Please find attached a true copy of the re-issued amendment to CofA A181008, dated February 8, 2002. The previous copy of the amendment sent to your office is not legally binding, and should be destroyed

If you have any questions, please feel free to contact me by phone or e-mail

Sincerely,

Andrew Neill
Waste Evaluator
(416) 314-8438
andrew.neill@ene.gov.on.ca



Ministry of the Environment
Ministère de l'Environnement

AMENDMENT TO PROVISIONAL CERTIFICATE OF APPROVAL
WASTE DISPOSAL SITE
NUMBER A181008
Notice No. 5

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 amended November 22, 1996, April 30, 1997, May 2, 1997, September 8, 1997, February 2, 1998, June 10, 1998, April 12, 1999, May 12, 1999, May 18, 1999, January 24, 2000, May 26, 0. April 6, 2001, May 4, 2001 and November 19, 2001 for a waste disposal site (landfill), as follows:

- I. This Certificate has been amended to extend the deadline for Financial Assurance adjustment for 2001 from December 31, 2001 to March 31, 2002.
- II. Schedule "H1" is hereby revoked and replaced by the following Schedule "H2":

SCHEDULE "H2"

This Schedule "H2" forms part of the Provisional Certificate of Approval No. A 181008.

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 |
| March 31, 2002 | | 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 |

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

16. Letter dated December 17, 2001 from Michael Jovanovic, PSC, to Ian Parrott, MOE, re: Taro Landfill Financial Assurance C of A A181008.
17. Letter dated December 24, 2001 from Michael Jovanovic, PSC, to Ian Parrott, MOE, re: Application to Amend Provisional Certificate of Approval A181008, Philip Services Inc. Taro East Landfill, Financial Assurance Condition 85.

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

1. To approve the request of the Company to extend the deadline for Financial Assurance adjustment.

RECEIVED MAR 12 2004

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) 314-8225

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) 314-8225



February 5, 2004

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

Dear Sir/Madam:

**Re: Financial Assurance for Certificate of Approval : Waste Disposal Sites No. A181008
Compliance With Condition No. 81, Submission of Financial Assurance**

We acknowledge receipt of amendment dated February 4, 2004, from the Bank of Montreal, amending Letter of Credit No. BMTO158770S (formerly No. IMDC/TOR/S/329256) to incorporate the changes requested in our letter dated January 26, 2004. This Financial Assurance is acceptable to the Director under Section 39 of the Environmental Protection Act and will be forwarded to our Business and Fiscal Planning Branch for safekeeping.

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

Yours truly,

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

c: District Manager, MOE Hamilton - District Office
Richard Brown, MOE, Business and Fiscal Planning Branch



Bank of Montreal

234 Simcoe Street 3rd Floor
Toronto ON M5T 1T4
Tel: 416 598-6112
Fax: 416 598-6076
SWIFT: BOFMCAT2
Telex: MCI 62960

HER MAJESTY-MINISTER OF ENVIRONMENT
C/O ENVIRONMENTAL ASSESSMENT AND
APPROVALS BRANCH, 2 ST.CLAIR AVE.W.
FLOOR 12A, TORONTO, ONTARIO M4V 1L5

February 04, 2004

Re: Our Irrevocable Standby Letter of Credit No.: BMT015877OS
Applicant: PHILIP SERVICES CORPORATION

Dear Customer,

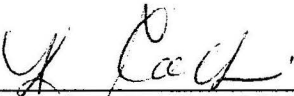
Re our L/C No. BMT015877OS (formerly No. IMDC/TOR/S/329256)
Certificate of Approval No. A181008

Applicant's full name:
Philip Services Corporation OBO Philip Services Inc.

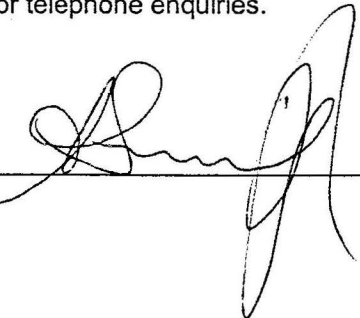
The correct name and address of beneficiary should read:
Her Majesty the Queen in right of Ontario as represented by
The Minister of Environment
c/o Environmental Assessment and Approvals Branch
2 St Clair Ave. West, Floor 12A, Toronto, Ontario M4V 1L5

Unless otherwise instructed herein, all correspondence and enquiries regarding this transaction should be directed to our Customer Service Centre at the above address, telephone: as above. Please indicate our reference number in all your correspondence or telephone enquiries.

Regards,



Authorised Signature(s)



ORIGINAL

APR 22 2004

Handwritten notes or stamps, partially illegible.

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) 314-8225

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) 314-8225



April 16, 2004

Paul F. Cinanni
Director, Environmental & Regulatory Affairs
PSC Industrial Services Canada Inc.
519 Parkdale Avenue North
Hamilton, Ontario
L8H 5Y6

Dear Sir/Madam:

**Re: Financial Assurance for Certificate of Approval : Waste Disposal Sites No. A181008
Compliance With Condition No. 81, Submission of Financial Assurance**

We acknowledge receipt of replacement Letter of Credit No. S18572/206602, dated April 12, 2004, for CAD\$7,760,596.00, issued by the Bank of Nova Scotia, pursuant to Condition No. 81 of Provisional Certificate of Approval for a Waste Disposal Site No. A181008.

This Financial Assurance is acceptable to the Director under Section 39 of the Environmental Protection Act and will be forwarded to our Business and Fiscal Planning Branch for safekeeping.

In view of the above, we are requesting our Business and Fiscal Planning Branch to return Bank of Montreal Letter of Credit No. BMT0158770S (formerly No. IMDC/TOR/S/329256) to the Environmental Assessment and Approvals Branch. On receipt of the aforementioned Letter of Credit, we will notify you accordingly.

400 7 2 2008

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

Yours truly,



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

c: District Manager, MOE Hamilton District Office
Wendy Layton, MOE, EAAB
Richard Brown, MOE, Business and Fiscal Planning Branch

ONTARIO INTL TRADE
SERVICES,

PAGE: 1
SLO NSTDISLC

FRONT STREET WEST, 4TH FLOOR,
TORONTO, ONTARIO, CANADA M5H 1H1 TEL. NO.: 416-866-6717

DATE OF ISSUE: APRIL 12, 2004

IRREVOCABLE STANDBY LETTER OF CREDIT
NO: S18572/206602
AMOUNT: NOT EXCEEDING CAD 7,760,596.00
DATE OF EXPIRY: DECEMBER 31, 2004

TO:
HER MAJESTY THE QUEEN IN RIGHT OF
ONTARIO AS REPRESENTED BY THE
MINISTER OF ENVIRONMENT


APPLICANT:
PHILIP SERVICES CORPORATION ON
BEHALF OF PSC INDUSTRIAL SERVICES
CANADA INC., 519 PARKDALE AVENUE N
HAMILTON, ONTARIO L8H 5Y6

DEAR SIR(S) :

WE, THE BANK OF NOVA SCOTIA, HEREBY AUTHORIZE HER MAJESTY THE QUEEN IN RIGHT OF
ONTARIO AS REPRESENTED BY THE MINISTER OF ENVIRONMENT, TORONTO, ONTARIO M4V 1P5
TO DRAW ON THE BANK OF NOVA SCOTIA, ONTARIO INTERNATIONAL TRADE SERVICES, 61
FRONT STREET WEST, 4TH FLOOR, TORONTO, ONTARIO, CANADA M5H 1H1 FOR THE ACCOUNT
OF PHILIP SERVICES CORPORATION ON BEHALF OF PSC INDUSTRIAL SERVICES CANADA INC.
(THE "APPLICANT"), UP TO THE AGGREGATE AMOUNT OF CAD7,760,596.00 (SEVEN MILLION
SEVEN HUNDRED SIXTY THOUSAND FIVE HUNDRED NINETY-SIX AND 00/100 CANADIAN
DOLLARS) OF LAWFUL MONEY OF CANADA AVAILABLE BY DEMAND.

PURSUANT TO THE REQUEST OF THE APPLICANT, WE, THE BANK OF NOVA SCOTIA, HEREBY
ESTABLISH AND GIVE TO YOU AN IRREVOCABLE STANDBY LETTER OF CREDIT NO.
S18572/206602 IN YOUR FAVOUR WHICH MAY BE DRAWN ON BY YOU AT ANY TIME AND FROM
TIME TO TIME UPON WRITTEN DEMAND FOR PAYMENT MADE UPON US BY YOU WHICH DEMAND WE
SHALL HONOUR WITHOUT ENQUIRING WHETHER YOU HAVE A RIGHT AS BETWEEN YOURSELVES
AND THE SAID APPLICANT TO MAKE SUCH DEMAND AND WITHOUT RECOGNIZING ANY CLAIM OF
THE SAID APPLICANT.

THIS IRREVOCABLE STANDBY LETTER OF CREDIT WILL CONTINUE UP TO DECEMBER 31,
2004, AND WILL BE AUTOMATICALLY RENEWED FOR ONE YEAR PERIODS FROM THE PRESENT
EXPIRY DATE OR ANY FUTURE EXPIRY DATE ON THE SAME TERMS AND CONDITIONS, UNLESS
WE GIVE YOU AT LEAST (60) SIXTY DAYS PRIOR TO SAID EXPIRY DATE A WRITTEN NOTICE
STATING THAT THIS CREDIT WILL NOT BE SO RENEWED AND YOU MAY CALL FOR PAYMENT ON
THE FULL AMOUNT OUTSTANDING UNDER THIS IRREVOCABLE STANDBY LETTER OF CREDIT AT
ANY TIME ON OR BEFORE THE THEN RELEVANT EXPIRY DATE, SHOULD THIS IRREVOCABLE
STANDBY LETTER OF CREDIT NOT BE RENEWED.


AUTHORIZED SIGNATURE/SIGNATAIRE AUTORISÉ


AUTHORIZED SIGNATURE/SIGNATAIRE AUTORISÉ

PARTIAL DRAWINGS ARE PERMITTED.

ANY PAYMENT HEREUNDER SHALL BE IN FAVOUR OF THE MINISTER OF FINANCE OF ONTARIO.

THE AMOUNT SECURED BY THIS IRREVOCABLE STANDBY LETTER OF CREDIT MAY BE REDUCED FROM TIME TO TIME BY WRITTEN NOTICE FROM YOU TO US.

ANY NOTICE UNDER THE PREVIOUS PARAGRAPH OR ANY DEMAND HEREUNDER MAY BE MADE BY YOU OR THE ASSISTANT DEPUTY MINISTER REGIONAL OPERATIONS DIVISION, THE ASSISTANT DEPUTY MINISTER, CORPORATE MANAGEMENT DIVISION, OR OTHER SUCH DIRECTOR AS YOU FROM TIME TO TIME AUTHORIZE IN WRITING TO US.

YOUR CLAIM UNDER THIS IRREVOCABLE STANDBY LETTER OF CREDIT MUST BE IN WRITING ADDRESSED TO THE BANK OF NOVA SCOTIA, ONTARIO INTERNATIONAL TRADE SERVICES, 61 FRONT STREET WEST, 4TH FLOOR, TORONTO, ONTARIO, CANADA M5H 1H1, QUOTING OUR IRREVOCABLE STANDBY LETTER OF CREDIT NO. S18572/206602 DATED APRIL 12, 2004 AND SHALL BE ACCOMPANIED BY A WRITTEN STATEMENT THAT THE MONIES ARE REQUIRED IN CONNECTION WITH PROVISIONAL CERTIFICATE OF APPROVAL NUMBER A181008.

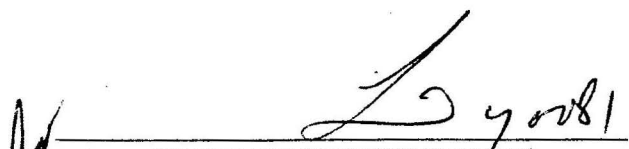
WE HEREBY AGREE WITH YOU THAT DEMANDS MADE IN COMPLIANCE WITH THE TERMS OF THIS IRREVOCABLE STANDBY LETTER OF CREDIT WILL BE DULY HONOURED UPON PRESENTATION AT OUR COUNTERS MENTIONED ABOVE.

THIS IRREVOCABLE STANDBY LETTER OF CREDIT IS SUBJECT TO THE UNIFORM CUSTOMS AND PRACTICE FOR DOCUMENTARY CREDITS (1993 REVISION) INTERNATIONAL CHAMBER OF COMMERCE, PUBLICATION NO. 500.

BENEFICIARY'S ADDRESS: 2 ST. CLAIR AVE. WEST, FLOOR 12A, TORONTO, ONTARIO M4V 1L5

THIS PAGE 2 FORMS AN INTEGRAL PART OF THE IRREVOCABLE STANDBY LETTER OF CREDIT NO. S18572/206602.

YOURS VERY TRULY,


AUTHORIZED SIGNATURE/SIGNATAIRE AUTORISÉ


AUTHORIZED SIGNATURE/SIGNATAIRE AUTORISÉ

RECEIVED JUL 14 2005



Ontario

Ministry of the Environment
Ministère de l'Environnement

AMENDMENT TO PROVISIONAL CERTIFICATE OF APPROVAL
WASTE DISPOSAL SITE
NUMBER A181008
Notice No. 10

PSC Industrial Services Canada Inc.
519 Parkdale Avenue North
Hamilton, Ontario
L8H 5Y6

Site Location: Taro Landfill
65 Green Mountain Road
Hamilton City,
L8J 1X5

You are hereby notified that I have amended Provisional Certificate of Approval No. A181008 issued on June 18, 1999 as amended for the use and operation of a 59.1 ha landfill site within a total site area of 75.1 ha, as follows:

105. A one-time extension to the submission date for the 2004/2005 Annual Report to July 31, 2005 is hereby granted.

All in accordance with the letter dated June 23, 2005 from Wayne Jackman, P.Geo, PSC Industrial Services Canada Inc., to Ian Parrott, P.Eng., MOE, which shall form part of Schedule "A" of the original Certificate of Approval.

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

1. To approve the proponent's request for a one-time extension.

This Notice shall constitute part of the approval issued under Provisional Certificate of Approval No. A181008 dated June 18, 1999

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;
.. 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 Environment and Energy
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 30th day of June, 2005



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

AN/

c: District Manager, MOE Hamilton - District
District Manager, Technical Services, PSC Industrial Services Canada Inc.



Ontario

Ministry of the Environment
Ministère de l'Environnement

AMENDMENT TO PROVISIONAL CERTIFICATE OF APPROVAL
WASTE DISPOSAL SITE
NUMBER A181008

Notice No. 11

Issue Date: November 28, 2005

PSC Industrial Services Canada Inc.
519 Parkdale Avenue North
Hamilton, Ontario
L8H 5Y6

Site Location: Taro Landfill
65 Green Mountain Road
Hamilton City,
L8J 1X5

You are hereby notified that I have amended Provisional Certificate of Approval No. A181008 issued on September 6, 1996 for the disposal of solid, non-hazardous commercial, institutional and industrial waste, follows:

Condition 21 of the existing Certificate of Approval is hereby revoked and replaced by the following new Condition:

Condition 21. The maximum volume of waste and cover material, excluding final cover, which may be disposed of at the Taro East Landfill Site is 6,320,000 m³.

The reason for this amendment to the Certificate of Approval is as follows: The maximum approved volumetric capacity of the landfill is not consistent with the maximum tonnage approved for the site due to inaccurate estimates of the density of the waste made during the study of the landfill.

all in accordance with the application for approval dated November 23, 2005, and supporting information and documentation prepared by PSC Industrial Services Canada Inc.

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 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; 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 Environment and Energy
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 28th day of November, 2005



Greg Washuta, P.Eng.
Director
Section 39, *Environmental Protection Act*

TG/

c: District Manager, MOE Hamilton - District
Michael Jovanovic, P. Eng., PSC Industrial Services Canada Inc.



Ontario

Ministry of the Environment
Ministère de l'Environnement

AMENDMENT TO PROVISIONAL CERTIFICATE OF APPROVAL
WASTE DISPOSAL SITE
NUMBER A181008
Notice No. 1
Issue Date: June 19, 2007

Newalta Industrial Services Inc.
65 Green Mountain Rd W
Stoney Creek, Ontario
L8J 1X5

Site Location: Newalta Stoney Creek Landfill
65 Green Mountain Rd
Hamilton City,
L8J 1X5

You are hereby notified that I have amended Provisional Certificate of Approval No. A181008 issued on September 6, 1996 and amended on February 2, 1998, April 12, 1998, June 8, 1998, July 8, 1998, April 21, 1999, May 12, 1999, June 18, 1999, May 26, 2000, April 6, 2001, October 3, 2002, June 30, 2005 and November 28, 2005 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), being known as the Newalta Stoney Creek Landfill, as follows:

The following Condition is hereby added to the Certificate:

107. Approval is hereby granted for the detail design of the Phase 5 and 6 Base Liner and Leachate Collection System in accordance with Item 43 in Schedule "A".

The following Item is hereby added to Schedule "A":

43. Report and supporting documentation entitled "*Detailed Design for the Phase 5 and 6 Base Liner System and Leachate Collection System, Newalta Stoney Creek Landfill (Provisional Certificate of Approval A181008*" prepared for Newalta Industrial Services by Gartner Lee Limited dated March 2007. The supporting documentation included the following:
- i. Drawing No. 1- Newalta Stoney Creek Landfill Base Liner and Leachate Collection System - Existing Conditions prepared by Gartner Lee Limited (Project No. 60-044) dated March 22, 2007;
 - ii. Drawing No. 2- Newalta Stoney Creek Landfill Base Liner and Leachate Collection System - Facility Layout prepared by Gartner Lee Limited (Project No. 60-044) dated March 22, 2007;
 - iii. Drawing No. 3- Newalta Stoney Creek Landfill Base Liner and Leachate Collection System - Site Preparation prepared by Gartner Lee Limited (Project No. 60-044) dated

- March 22, 2007;
- iv. Drawing No. 4- Newalta Stoney Creek Landfill Base Liner and Leachate Collection System - Groundwater Collection System and Details prepared by Gartner Lee Limited (Project No. 60-044) dated March 22, 2007;
 - v. Drawing No. 5 - Newalta Stoney Creek Landfill Base Liner and Leachate Collection System - Grading Plan Base Grading Layer prepared by Gartner Lee Limited (Project No. 60-044) dated March 22, 2007;
 - vi. Drawing No. 6- Newalta Stoney Creek Landfill Base Liner and Leachate Collection System - Grading Plan secondary Liner prepared by Gartner Lee Limited (Project No. 60-044) dated March 22, 2007;
 - vii. Drawing No. 7 - Newalta Stoney Creek Landfill Base Liner and Leachate Collection System - Grading Plan Hydraulic Control Layer prepared by Gartner Lee Limited (Project No. 60-044) dated March 22, 2007;
 - viii. Drawing No. 8 - Newalta Stoney Creek Landfill Base Liner and Leachate Collection System - Grading Plan Primary Liner prepared by Gartner Lee Limited (Project No. 60-044) dated March 22, 2007;
 - ix. Drawing No. 9 - Newalta Stoney Creek Landfill Base Liner and Leachate Collection System - Grading Plan Leachate Collection System (Grading Filter) prepared by Gartner Lee Limited (Project No. 60-044) dated March 22, 2007;
 - x. Drawing No. 10 - Newalta Stoney Creek Landfill Base Liner and Leachate Collection System - Grading Plan Temporary Berm and Final Grades at Limit of Landfill prepared by Gartner Lee Limited (Project No. 60-044) dated March 22, 2007;
 - xi. Drawing No. 11 - Newalta Stoney Creek Landfill Base Liner and Leachate Collection System - Leachate Collection System prepared by Gartner Lee Limited (Project No. 60-044) dated March 22, 2007;
 - xii. Drawing No. 12 - Newalta Stoney Creek Landfill Base Liner and Leachate Collection System - Typical Details - Base Liner, Temporary Berm South of 1250(N) and Connection to Existing Liner System prepared by Gartner Lee Limited (Project No. 60-044) dated March 22, 2007;
 - xiii. Drawing No. 13 - Newalta Stoney Creek Landfill Base Liner and Leachate Collection System - Typical Details - Base Liner, Temporary Berm and Connection to Existing Liner System prepared by Gartner Lee Limited (Project No. 60-044) dated March 22, 2007;
 - xiv. Drawing No. 14 - Newalta Stoney Creek Landfill Base Liner and Leachate Collection System - Typical Details - Sidewall Detail, Access Ramp, and Interim Temporary Berm for Interim Waste Placement prepared by Gartner Lee Limited (Project No. 60-044) dated March 22, 2007;
 - xv. Drawing No. 15 - Newalta Stoney Creek Landfill Base Liner and Leachate Collection System - Groundwater Collection System, Sidewall Construction Sections "D" and "G" prepared by Gartner Lee Limited (Project No. 60-044) dated March 22, 2007;
 - xvi. Drawing No. 16 - Newalta Stoney Creek Landfill Base Liner and Leachate Collection System - Sidewall Construction Section "F" and Details prepared by Gartner Lee Limited (Project No. 60-044) dated March 22, 2007;
 - xvii. Drawing No. 17 - Newalta Stoney Creek Landfill Base Liner and Leachate Collection System - Typical Details Leachate Collection System Clean-Out Structures prepared by

- Gartner Lee Limited (Project No. 60-044) dated March 22, 2007;
- xviii. Drawing No. 18 - Newalta Stoney Creek Landfill Base Liner and Leachate Collection System - Typical Details Leachate Collection System Clean-Out Structures prepared by Gartner Lee Limited (Project No. 60-044) dated March 22, 2007;
 - xix. Drawing No. 19 - Newalta Stoney Creek Landfill Base Liner and Leachate Collection System - Typical Details Leachate Collection System Clean-Out Structures prepared by Gartner Lee Limited (Project No. 60-044) dated March 22, 2007;
 - xx. Drawing No. 20- Newalta Stoney Creek Landfill Base Liner and Leachate Collection System - Typical Details - Groundwater Collection System - Clean-Out Structure CO-G8 and CO-G9 prepared by Gartner Lee Limited (Project No. 60-044) dated March 22, 2007; and
 - xxi. Drawing No. 21- Newalta Stoney Creek Landfill Base Liner and Leachate Collection System - Typical Details - Injection Wells W7 and W8 prepared by Gartner Lee Limited (Project No. 60-044) dated March 22, 2007.

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

- 1. *The reason for Condition No. (107) is to approve and incorporate the detailed drawings for the construction and operation of Phases 5 and 6 as per the submitted information. This is to ensure the long-term health and safety of the public and the environment.*

This Notice shall constitute part of the approval issued under Provisional Certificate of Approval No. A181008 dated June 18, 1999, 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
2300 Yonge St., Suite 1700

The Director
Section 39, *Environmental Protection Act*
Ministry of the Environment

P.O. Box 2382
Toronto, Ontario
M4P 1E4

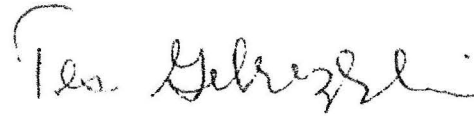
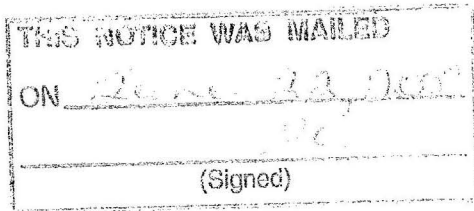
AND

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 19th day of June, 2007



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

DG/

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

RECEIVED
OCT 23 07



Ontario

Ministry of the Environment
Ministère de l'Environnement

AMENDMENT TO PROVISIONAL CERTIFICATE OF APPROVAL
WASTE DISPOSAL SITE
NUMBER A181008
Notice No. 2
Issue Date: October 9, 2007

Newalta Industrial Services Inc.
65 Green Mountain Rd W
Stoney Creek, Ontario
L8J 1X5

Site Location: Part of Lots 25 and 26, Concession 4
Lot 25, 26, Concession 4, Saltfleet
Hamilton City,

You are hereby notified that I have amended Provisional Certificate of Approval No. A181008 issued on September 6, 1996 and amended on February 2, 1998, April 12, 1998, June 8, 1998, July 8, 1998, April 21, 1999, May 12, 1999, June 18, 1999, May 26, 2000, April 6, 2001, October 3, 2002, June 30, 2005, November 28, 2005 and June 19, 2007 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), being known as the Newalta Stoney Creek Landfill, as follows:

The following Conditions are hereby added to the Certificate:

108. (1) Approval is hereby granted to Stage 1 of the Closure Plan for the Site and the relocation of the exit road/gate in accordance with Items 44 through 46 in Schedule "A".
- (2) Within 120 days of completion of the final cover construction in Stage 1, the *Owner* shall submit to the *District Manager*, a construction report detailing the construction activities and any design changes made during construction. The report shall include but not be limited to the following topics:
- i. drawing(s) of the "as-built" final cover;
 - ii. a description of the various construction stages;
 - iii. quality assurance/control measures for the construction; and
 - iv. any changes to the design.
109. Approval is hereby granted to the amendment to the reduction of the conceptual sizing of Phase 8 of the landfill in accordance with Item 46 in Schedule "A".

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

44. Report and Drawings entitled "Detailed Design for the Stage 1 Final Cover, Newalta Stoney Creek Landfill (Provisional Certificate of Approval A181008)" prepared for Newalta Industrial Services by Gartner Lee Limited dated June 2007.
45. Letter dated August 15, 2007 addressed to Mr, Mike Jovanovic, Newalta Industrial Services Inc. from Mr. Dale Gable, Ministry of the Environment requesting additional information pertaining to the surface water management system, proposed changes to the conceptual final cover system and resulting reduction in size of Phase 8.
46. Letter dated August 22. 2007 and supporting documentation addressed to Mr. Dale Gable, Ministry of the Environment from Mr. Edward San, Gartner Lee Limited providing the additional information requested in the August 15, 2007 letter. The supporting documentation included the following:
 - i. Report entitled " Stormwater Management Design Report, Phase 1 Newalta Stoney Creek Landfill" prepared by Gartner Lee Limited (Project No. 40-928) dated June 21, 2007.

The reasons for this amendment to the Certificate of Approval are as follows:

1. *The reason for Condition No. (108) is to approve and incorporate the closure plans for Stage 1 of the Site and to recognize the proposed relocation of the exit road for the site.*
2. *The reason for Condition No. (109) is to recognized the reduction in the conceptual size of Phase 8 resulting from the change in the final cover thickness throughout the site. This is to ensure the changes are incorporated into the Certificate.*

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 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 eachportion 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., Suite 1700
P.O. Box 2382
Toronto, Ontario
M4P 1E4

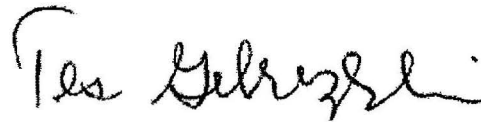
AND

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

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

DATED AT TORONTO this 9th day of October, 2007



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

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



Ministry of the Environment
Ministère de l'Environnement

AMENDMENT TO PROVISIONAL CERTIFICATE OF APPROVAL
WASTE DISPOSAL SITE
NUMBER A181008
Notice No. 3
Issue Date: April 16, 2008

Newalta Industrial Services Inc.
1100 Burloak Dr Suite 500
Burlington, Ontario
L7L 6B2

Site Location: Newalta Hamilton (Stoney Creek) Landfill
65 Green Mountain Rd. W.
Hamilton, Ontario
L8J 1X5

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), being known as the Newalta Hamilton (Stoney Creek) Landfill, as follows:

The following Conditions are hereby revoked:

- * Condition No. 88.2
- * Condition No. 103

The following Definitions are hereby amended:

- 1.5 "City " means City of Hamilton.
- 1.6 "CLC " or "NHLLC " means the Newalta Hamilton Landfill Liaison Committee.
- 1.8 "Company " means Newalta Industrial Services Inc.

Condition Nos. 70, 71, 72, 73 and 74 are hereby revoked and replaced with the following Condition:

- 70. The Company shall ensure that the establishment, continuance, mandate, membership, operation and funding of the NHLLC is completed in accordance with the Terms of Reference described in Schedule "F". (Terms of Reference for the NHLLC)

The following Conditions are hereby revoked and amended:

- 81. Financial Assurance shall be provided to the *Director* by the *Company* in a form and manner acceptable

to the *Director* and in an amount that is sufficient to pay for compliance with and performance of any action related to the closure and post-closure of the site specified in this *Certificate* . The City and NHLLC shall be advised of the financial assurance approved by the *Director* .

98. NHLLC Health Sub-Committee

- 1.1 Upon appointment of members of the *NHLLC* , the *NHLLC* shall also appoint members to a Health Subcommittee of the *NHLLC* in accordance with Condition 98.1.3
- 1.2 The mandate of the Health Subcommittee shall be to provide advice on any health related matters referred to it by the *NHLLC* .
- 1.3 The membership of the Health Subcommittee shall be comprised of a minimum of three members of which one is a company member and one is a community member of the *NHLLC* . A representative of the local Health Department shall be invited to participate. Additional members may be added as deemed necessary by the *NHLLC* or by the Health Subcommittee.

99. If deemed necessary by both the Health Subcommittee and the *NHLLC* , Terms of Reference shall be submitted to the *Regional Director* for approval, for a health study that is to be undertaken by the Company which reflects the recommendations in the expert panel report (Sec. 8.3.10.3 October 2000, pg 60) with a focus on the community immediately adjacent to the Site. The health study should take into account other studies that have a link to the neighbourhood, conducted or being conducted in the City of Hamilton in order to assess whether there is a difference in the health status of the community living close to the landfill compared with similar populations who are not living beside the Site.

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

47. Application for amendment submitted by Newalta Industrial Services dated October 4, 2007 requesting amendment to the Conditions addressing the CLC, Financial Assurance and the Health Subcommittee. The application was signed by Paul Cinanni, Manager EH&S. The supporting documentation included the following:
- i. Letter dated October 1, 2007 addressed to Ms. Doris Dumais, Ministry of the Environment from Mr. Paul Cinanni, Newalta Industrial Services requesting an amendment to the Certificate of Approval for the Newalta Stoney Creek Landfill Site.

Schedule "I"

The following are the Terms of Reference for the NHLLC:

Establishment and Continuance

- By no later than ninety (90) days after these terms of reference come into effect, the Company shall establish and maintain a community liaison committee to be known as the Newalta Hamilton Landfill Liaison Committee (NHLLC) that will be guided by the Terms of Reference as outlined below and applicable Conditions in this Certificate.

Mandate

- The mandate of the NHLLC is to:
 - (a) Facilitate communication between the Company and the community about the operation of the Site;
 - (b) Facilitate the addressing of community concerns about the operation of the Site.
- The mandate of the NHLLC may be fulfilled by way of the following:
 - (a) Providing a focal point for the dissemination and exchange of information relevant to the operation of the Site;
 - (b) Review, comment and make recommendations on the required operating and monitoring reports pertaining to the Site;
 - (c) Review, comment and make recommendations on applications for new or revised approvals pertaining to the Site;
 - (d) Review, comment and make recommendations toward the resolution of complaints and the addressing of issues relative to the Site submitted through the Company's complaint procedures; and
 - (e) Commenting and making recommendations on the structure and operation of the Company's complaints procedure.
- Changes to operation or mandate of this committee shall have the agreement of the Company, 2/3 of all voting members and the approval of the Regional Director of West Central Region of the Ministry of the Environment.

Membership

- Membership on the NHLLC shall be as follows:
 - A) Voting Members
 - a. There shall be four community representatives from the resident population of the City of Hamilton, with preference given to those who reside within 1500 metres of the Site. Should there be less than four community representative applicants, the NHLLC may operate with a minimum of two community representatives. The term of the community representatives on the NHLLC shall be the same as for the City of Hamilton representatives, four years. For the initial committee, the community representatives will be appointed for one, two, three and four years respectively to avoid complete turn over of membership at the end of four years.

- b. Two Representatives of the City of Hamilton appointed by the City of Hamilton, which representatives are not staff members. The term of the City of Hamilton representatives shall be for a four year term, to align with the terms of Council of the City of Hamilton.

B) Non- Voting Members

- a. There shall be one non-voting representative of the MOE on the NHLLC.
- b. There shall be two non-voting members appointed by the Company on the NHLLC.

Operation of the NHLLC

- The NHLLC, on the occasion of the first meeting, shall elect a chair from the voting members of the NHLLC whose role it will be to call and preside over meetings of the committee.
- Selection of Community Representatives:
 - a. The procedure for the selection of the community representatives on the NHLLC shall consist of advertising for interested applicants in both a daily newspaper and a local community newspaper by the Company. Selection of the initial group of community representatives will be made by a selection committee comprised of the City of Hamilton, MOE and Company members. Subsequent selection will be conducted by the entire NHLLC, with input from both voting and non-voting members.
- Initial Meeting Procedures for NHLLC:
 - a. Meetings shall be held quarterly. Additional meetings shall be convened at the call of the Chair. All meetings will be open to observers from the public, with the exception of committee member selection, personnel matters and legal advice.
 - b. Meetings will be formal with an agenda circulated in advance of the meetings. Request for delegations to attend are to be made at least two days in advance of the meeting. Minutes will be taken.
 - c. Meeting dates, meeting agendas and meeting minutes shall be publicly accessible.

At the first meeting, the NHLLC shall set out additional general meeting rules and guidelines, including a quorum, procedures for voting, notice of meetings and procedures for open houses and public fora.

Funding for the NHLLC

- The Company shall provide funding, as required, to a maximum of \$10,000 annually for the reasonable costs of the operation of the NHLLC, excluding the costs of administrative services and quarterly meeting space which is to be provided by the Company at the Site. The NHLLC shall be responsible for preparing a budget and accounting for all monies spent. The budget and quarterly reports of monies spent shall be presented to the NHLLC. The \$10,000 amount shall be reviewed after one year and thereafter at a minimum of five (5) years. Request for funding for additional projects can be made to the Company. The Company will provide a rationale for all funding decisions on such requests.

The reasons for this amendment to the Certificate of Approval are as follows:

1. The reason for the revocation of Condition No. 88.2 is that it has been addressed in condition 81.
2. The reason for the revocation of Conditions No. 99 and No. 103 is that it was subsequently revoked by the Environmental Review Tribunal in a decision dated May 21, 2003.
3. The reason for the revocation of Condition Nos. 70, 71, 72, 73, and 74 and replaced with Condition No. 70 is that these conditions have now been addressed in Schedule "I".
4. The reason for the amendment to Condition Nos. 81 and No. 98 is based on the Company's request to amend the conditions.

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, 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:

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 16th day of April, 2008



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

AT/

c: District Manager, MOE Hamilton - District
Michael Jovanovic, Newalta Industrial Services Inc.

**AMENDMENT TO PROVISIONAL CERTIFICATE OF
APPROVAL****WASTE DISPOSAL SITE**

NUMBER A181008

Notice No. 4

Issue Date: September 29, 2008

Newalta Industrial Services Inc.
65 Green Mountain Rd W
Stoney Creek, Ontario
L8J 1X5

Site Location: Newalta Stoney Creek Landfill
65 Green Mountain Rd
Hamilton City,
L8J 1X5

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), being known as the Newalta Stoney Creek Landfill, as follows:

- I. This Notice of Amendment approves the receipt and disposal of non-hazardous incinerator ash in accordance with the existing conditions of this Certificate and the items amended to Schedule "A".
- II. Condition 27 of this Certificate is hereby revoked and replaced with the following:
 27. No liquid industrial wastes, hazardous wastes as defined under Regulation 347, or putrescible waste shall be disposed of in the waste disposal area of the Site. This includes: hazardous industrial wastes; hazardous waste chemicals; ignitable wastes; corrosive wastes; leachate toxic waste; acute hazardous waste chemicals or reactive waste; hauled sewage; domestic waste; and waste from the operation of a sewage works subject to the Ontario Water Resources Act where the works:
 - i) is owned by a municipality;
 - ii) is owned by the Crown subject to an agreement with a municipality under the Ontario Water Resources Act; or
 - iii) receives only waste similar in character to the domestic sewage from a household.
- i. The following condition is hereby added to this Certificate:

Disposal of Non-hazardous Incinerator Ash

110. Receipt and disposal of non-hazardous incinerator ash to the Site shall be done in accordance with the document entitled "*Waste Control Procedures*", detailed as part of item (48) of Schedule "A".
111. The Company shall develop, maintain on-site and implement a Dust Contingency program which details how the Company will mitigate and minimize impacts from dust resulting from the disposal of deposits of non-hazardous incinerator ash.
112. The Company shall ensure, through testing prescribed in Ontario Regulation 347 as amended from time-to-time performed by either the Company or the generator, that all loads of incinerator ash received and disposed of at the site are non-hazardous.
113. Summarized results of the testing required as part of Condition 112 shall be included as part of the reports required under conditions 51 and 54.

IV. The following item is hereby added to Schedule "A":

48. Application for a Provisional Certificate of Approval for a Waste Disposal Site dated April 24, 2008, signed by Michael Jovanovic, Regional Manager, Newalta Industrial Services Inc., including all attached supporting information, cover letter, appendices, etc.

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

The reasons for this Notice of Amendment are to approve the receipt and disposal of non-hazardous incinerator ash at the Newalta Stoney Creek landfill and to ensure that disposal of the ash waste is done in a manner which minimizes the effects of the landfill to the health and safety of the public and the environment and to conduct the disposal in accordance with the application and not in a manner which the Director has not been asked to consider.

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, 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:

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

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 29th day of September, 2008



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

DL/

c: District Manager, MOE Hamilton - District
Michael Jovanovic, Newalta Industrial Services Inc.



Ministry of the Environment

Ontario

Environmental Assessment and Approvals Branch
2 St. Clair Ave. West, 12A Floor
Toronto, ON M4V 1L5
Telephone: (416) 314-8256
FAX No. (416) 314-8452

TELECOPIER/FAX COVER SHEET

Date: September 29, 2008

CONFIDENTIAL

This facsimile is intended solely for the person/organization to whom it is addressed.

| | |
|--------------------------------|-----------------------------------|
| TO: | FROM: |
| Mike Jovanovic | David Lee, P. Eng. |
| Newalta Environmental Services | Ministry of the Environment, EAAB |
| FAX: (905) 549-4515 | PAGES TO FOLLOW: 3 |

Please contact the sender:

- If you do not receive the number of pages specified, or if you have trouble reading the copy.
- If you have received this facsimile in error.

HIGH IMPORTANCE

Mr. Jovanovic,

Your application has been approved. The signed Notice of Amendment is attached and the original will follow by mail.

Sincerely,

David

cc: Chris O'Connor, MOE Hamilton



Ministry of the Environment
Ministère de l'Environnement

AMENDMENT TO PROVISIONAL CERTIFICATE OF APPROVAL
WASTE DISPOSAL SITE
NUMBER A181008
Notice No. 11
Issue Date: November 28, 2005

PSC Industrial Services Canada Inc.
519 Parkdale Avenue North
Hamilton, Ontario
L8H 5Y6

Site Location: Taro Landfill
65 Green Mountain Road
Hamilton City,
L8J 1X5

You are hereby notified that I have amended Provisional Certificate of Approval No. A181008 issued September 6, 1996 for the disposal of solid, non-hazardous commercial, institutional and industrial waste, as follows:

Condition 21 of the existing Certificate of Approval is hereby revoked and replaced by the following new Condition:

Condition 21. The maximum volume of waste and cover material, excluding final cover, which may be disposed of at the Taro East Landfill Site is 6,320,000 m³.

The reason for this amendment to the Certificate of Approval is as follows: The maximum approved volumetric capacity of the landfill is not consistent with the maximum tonnage approved for the site due to inaccurate estimates of the density of the waste made during the study of the landfill.

all in accordance with the application for approval dated November 23, 2005, and supporting information and documentation prepared by PSC Industrial Services Canada Inc.

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 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:

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.

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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 Environment and Energy
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 28th day of November, 2005



Greg Washuta, P.Eng.
Director
Section 39, *Environmental Protection Act*

TG/

c: District Manager, MOE Hamilton - District
Michael Jovanovic, P. Eng., PSC Industrial Services Canada Inc.

AMENDMENT TO PROVISIONAL CERTIFICATE OF
APPROVAL
WASTE DISPOSAL SITE
NUMBER A181008
Notice No. 5
Issue Date: October 12, 2010

Newalta Corporation
65 Green Mountain Rd W
Stoney Creek, Ontario
L8J 1X5

Site Location: Newalta Stoney Creek Landfill
65 Green Mountain Road
Hamilton City,
L8J 1X5

You are hereby notified that I have amended Provisional Certificate of Approval No. A181008 issued on September 6, 1996 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), being known as the Newalta Hamilton (Stoney Creek) Landfill , as follows:

I. Condition 85 is hereby revoked and replaced with the following:

Financial Assurance

- 85.1 Within twenty (20) days of issuance of this notice the Company shall submit to the Director, Financial Assurance, as defined in Section 131 of the Act, for the amount of ten million nine hundred fifty five thousand two hundred thirty-seven dollars and zero cents (CDN\$10,955,237.00). This Financial Assurance shall be in a form acceptable to the Director and shall provide sufficient funds for the closure and post-closure monitoring, maintenance and care of the Site and shall provide sufficient contingency funds in accordance with section 17 of *Ontario Regulation 232/98* .
- 85.2 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. Schedule "H2" of this Certificate is hereby revoked.

III. The following items are hereby added to Schedule "A" of this Certificate:

49. Letter dated March 30, 2010 to Michael Jovanovic, Regional Operations Manager, Newalta Industrial Services Inc. from David Lee, P. Eng., Senior Review Engineer, Ontario Ministry of the Environment re: Submission of Financial Assurance Re-evaluation.
50. Financial Assurance Re-evaluation dated June 25, 2010 to David Lee, P. Eng., Senior Review Engineer, Ontario Ministry of the Environment from Michael Jovanovic, Regional Operations Manager, Newalta Industrial Services Inc. including all attached worksheets.
51. Letter dated September 9, 2010 to Michael Jovanovic, Regional Operations Manager, Newalta Industrial Services Inc. from David Lee, P. Eng., Senior Review Engineer, Ontario Ministry of the Environment re: Submission of Financial Assurance Re-evaluation.

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

The reason for Condition (85) is to ensure that sufficient funds are available to the Ministry to clean up the Site in the event that the Company and/or any future owners are unable or unwilling to do so.

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

The Director
Section 39, *Environmental Protection Act*

655 Bay Street, 15th Floor
Toronto, Ontario
M5G 1E5

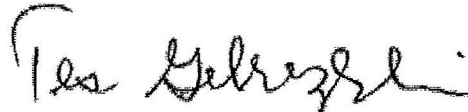
AND

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 12th day of October, 2010



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

DL/

c: District Manager, MOE Hamilton - District

AMENDMENT TO PROVISIONAL CERTIFICATE OF
APPROVAL
WASTE DISPOSAL SITE
NUMBER A181008
Notice No. 6
Issue Date: December 14, 2010

Newalta Industrial Services Inc.
65 Green Mountain Rd W
Stoney Creek, Ontario
L8J 1X5

Site Location: Newalta Stoney Creek Landfill
Stoney Creek
Lot 25 & 26, Concession 6
Hamilton City,

You are hereby notified that I have amended Provisional Certificate of Approval No. A181008 issued on June 18, 1999, as amended for the use and operation of a 59.1 hectare (146 acres) landfill site within a total site area of 75.1 hectares (185.5 acres), being known as the Newalta Hamilton (Stoney Creek) Landfill, as follows:

This Notice of Amendment approves the Stage 2 final cover.

The following Condition is hereby added to the Certificate:

114. Within 120 days of completion of the final cover construction in Stage 2, the Owner shall submit to the District Manager, a construction report detailing the construction activities and any design changes made during construction. The report shall include but not be limited to the following:
- i. drawing(s) of the "as-built" final cover;
 - ii. a description of the various construction stages;
 - iii. quality assurance/quality control measures for the construction; and
 - iv. any changes to the design.

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

52. Report entitled "Detailed Design for the Stage 2 Final Cover, Newalta Stoney Creek Landfill,

(Provisional Certificate of Approval A181008)", dated July 2010, prepared by AECOM Canada Ltd.

53. e-mail dated Wednesday December 1, 2010, 12:39 pm from Brian Dermody, AECOM, to Lynda Mulcahy, Ministry of Environment, RE: Stage 2 cap.

The reason for this amendment to the Certificate of Approval is to approve the Stage 2 final cap design.

This Notice shall constitute part of the approval issued under Provisional Certificate of Approval No. A181008 dated June 18, 1999

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 14th day of December, 2010



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

LM/

c: District Manager, MOE Hamilton - District
Brian Dermody, P. Eng., AECOM Canada Ltd.