

AMENDMENT TO PROVISIONAL CERTIFICATE OF
APPROVAL
WASTE DISPOSAL SITE
NUMBER A181008
Notice No. 7
Issue Date: March 7, 2011

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 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:

Approval is hereby granted for construction of the Phase 8 West Sidewall and Groundwater Collection System.

The following Conditions are hereby added to the Certificate:

115. The Phase West Sidewall and Groundwater Collection System shall be constructed in accordance with the Detailed Design report including design drawings numbered GW1 to GW5, listed as Item 54 of Schedule "A".

The following Items are added to Schedule "A":

54. Report entitled "Detailed Design for the Phase 8 West Sidewall & Groundwater Collection System, Newalta Stoney Creek Landfill, including design drawings GW1 to GW5, prepared by AECOM, December 2010.
55. Letter dated February 3, 2011, to Lynda Mulcahy, P.Eng., Ontario Ministry of Environment, from Brian Dermody, P.Eng., AECOM.

The reason for this amendment to the Certificate of Approval is to allow for the construction of the Phase 8 Sidewall and groundwater collection system.

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

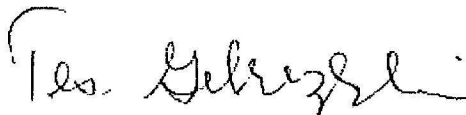
The Director
Section 39, *Environmental Protection Act*
Ministry of the Environment
2 St. Clair Avenue West, Floor 12A
Toronto, Ontario
M4V 1L5

* 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 7th day of March, 2011



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

LM/

c: District Manager, MOE Hamilton - District
Brian Dermody, P. Eng., Aecom

AMENDMENT TO ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER A181008

Notice No. 8

Issue Date: May 2, 2012

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 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, June 19, 2007, October 9, 2007 April 16, 2008, September 29, 2008, October 12, 2010 and March 7, 2011 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 Definition is hereby added to the Environmental Compliance Approval:

"Environmental Compliance Approval" or "ECA " means this entire provisional Environmental Compliance Approval document, issued in accordance with Section 20.2 of the *EPA*, and includes any schedules to it, the application and the supporting documentation listed in Schedule "A".

The following Conditions are hereby added to the ECA:**Phase 7A**

116. (1) Approval is hereby granted for the detail design of the Phase 7 Base Liner and Leachate Collection System in accordance with Items 56 through 59 in Schedule "A".
- (2) The *Owner* shall only construct Phase 7A as depicted in Item 57 (xxii.) in Schedule "A" until an alternative site entrance is approved for the *Site*. The *Owner* must submit an application for amendment requesting Condition No. 34.3 to be amended in order to perform construction for the

remainder of Phase 7.

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

56. Report entitled "Detailed Design for the Phase 7 Base Liner and Leachate Collection System, Newalta Stoney Creek Landfill (Provisional Certificate of Approval A181008) prepared by AECOM (Project No. 60213675) and dated February 2012.
57. Detailed Design Drawings for Phase 7 Base Liner and Leachate Collection System as follows:
 - i. Cover Sheet entitled "Newalta Stoney Creek Landfill - Phase 7 Base Liner and Leachate Collection System" prepared by AECOM (Project No. 60213675) and dated February 2012;
 - ii. Drawing No. LF-PH-7-001 - Existing Conditions - prepared by AECOM (Project No. 60213675) and dated February 9, 2012;
 - iii. Drawing No. LF-PH-7-002 - Facility Layout - prepared by AECOM (Project No. 60213675) and dated February 9, 2012;
 - iv. Drawing No. LF-PH-7-003 - Site Preparation - prepared by AECOM (Project No. 60213675) and dated February 9, 2012;
 - v. Drawing No. LF-PH-7-004 - Groundwater Collection System and Details - prepared by AECOM (Project No. 60213675) and dated April 24, 2012;
 - vi. Drawing No. LF-PH-7-005 - Grading Plan Base Grading Layer - prepared by AECOM (Project No. 60213675) and dated February 9, 2012;
 - vii. Drawing No. LF-PH-7-006 - Grading Plan Secondary Liner - prepared by AECOM (Project No. 60213675) and dated February 9, 2012;
 - viii. Drawing No. LF-PH-7-007 - Grading Plan Hydraulic Control Layer - prepared by AECOM (Project No. 60213675) and dated February 9, 2012;
 - ix. Drawing No. LF-PH-7-008 - Grading Plan Primary Liner - prepared by AECOM (Project No. 60213675) and dated February 9, 2012;
 - x. Drawing No. LF-PH-7-009 - Grading Plan Leachate Collection System (Graded Filter) - prepared by AECOM (Project No. 60213675) and dated February 9, 2012;
 - xi. Drawing No. LF-PH-7-010 - Grading Plan - temporary Berm and Final Grades at Limit of Landfill, Access Ramp Detail - prepared by AECOM (Project No. 60213675) and dated February 9, 2012;
 - xii. Drawing No. LF-PH-7-011 - Leachate Collection System - prepared by AECOM (Project No. 60213675) and dated February 9, 2012;
 - xiii. Drawing No. LF-PH-7-012 - Typical Details - Base Liner and Temporary Berm - prepared by AECOM (Project No. 60213675) and dated February 9, 2012;
 - xiv. Drawing No. LF-PH-7-013 - Typical Details - Interim Temp. Berm and Connection Details to Existing Liner System - prepared by AECOM (Project No. 60213675) and dated February 9, 2012;
 - xv. Drawing No. LF-PH-7-014 - Groundwater Collection System, Sidewall Construction Sections "E" and "F" - prepared by AECOM (Project No. 60213675) and dated February 9, 2012;
 - xvi. Drawing No. LF-PH-7-015 - Sidewall Construction Section "G" and Details - prepared by AECOM (Project No. 60213675) and dated April 24, 2012;

- xvii. Drawing No. LF-PH-7-016 - Typical Details - Leachate Collection System Cleanout Structure Details - prepared by AECOM (Project No. 60213675) and dated February 9, 2012;
- xviii. Drawing No. LF-PH-7-017 - Typical Details - Leachate Collection System Cleanout Structure Details - prepared by AECOM (Project No. 60213675) and dated February 9, 2012;
- ixx. Drawing No. LF-PH-7-018 - Typical Details - Leachate Collection System Cleanout Structure Details - prepared by AECOM (Project No. 60213675) and dated February 9, 2012;
- xx. Drawing No. LF-PH-7-019 - Typical Details - Groundwater Collection System - Cleanout Structures CO-G10 and CO-G11 - prepared by AECOM (Project No. 60213675) and dated February 9, 2012;
- xxi. Drawing No. LF-PH-7-020 - Typical Details - Injection Wells W9 and W10 - prepared by AECOM (Project No. 60213675) and dated February 9, 2012; and
- xxii. Drawing No. LF-PH-7-021 - Proposed Maximum Limit of Phase 7A Construction to be Completed in Year 2012 - prepared by AECOM (Project No. 60213675) and dated April 24, 2012.

58. Letter dated March 9, 2012 addressed to Mr Michael Jovanovic, Newalta Industrial Services Inc. from Mr. Dale Gable, Ministry of the Environment requesting additional information on the detailed design of Phase 7 pertaining to quarry wall and the geomembrane liner anchor trench.

59. Letter dated March 19, 2012 addressed to Mr. Dale Gable, Ministry of the Environment from Mr. Brian Dermody, AECOM providing additional information the following:

- i. Detailed Drawings;
- ii. Soil in areas where rock from the quarry wall are to be removed; and
- iii. Anchor trench details.

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

- 1. *The reason for Condition 116 is to approve the detailed design of Phase 7 based upon the submitted information. This is to ensure the site is constructed in accordance with the Certificate and submitted design drawings.*

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

In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me and the Environmental Review Tribunal within 15 days after receipt of this Notice, require a hearing by the Tribunal. Section 142 of the Environmental Protection Act provides that the Notice requiring the hearing shall state:

1. The portions of the environmental compliance approval or each term or condition in the environmental compliance approval in respect of which the hearing is required, and;
2. The grounds on which you intend to rely at the hearing in relation to each portion appealed

Pursuant to subsection 139(3) of the Environmental Protection Act, a hearing may not be required with respect to any terms and conditions in this environmental compliance approval, if the terms and conditions are substantially the same as those contained in an approval that is amended or revoked by this environmental compliance approval.

The Notice should also include:

3. The name of the appellant;
4. The address of the appellant;
5. The environmental compliance approval number;
6. The date of the environmental compliance approval;
7. The name of the Director, and;
8. The municipality or municipalities within which the project is to be engaged in

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

This Notice must be served upon:

The Secretary*
Environmental Review Tribunal
655 Bay Street, Suite 1500
Toronto, Ontario
M5G 1E5

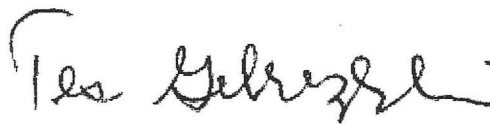
AND

The Director appointed for the purposes of
Part II.1 of the Environmental Protection Act
Ministry of the Environment
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) 212-6349, Fax: (416) 314-4506 or www.ert.gov.on.ca**

The above noted activity is approved under s.20.3 of Part II.1 of the Environmental Protection Act.

DATED AT TORONTO this 2nd day of May, 2012



Tesfaye Gebrezghi, P.Eng.
Director
appointed for the purposes of Part II.1 of the
Environmental Protection Act

DG/

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



RECEIVED
Dec 27/13

Ministry of the Environment
Ministère de l'Environnement

AMENDMENT TO ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER A181008

Notice No. 1

Issue Date: November 22, 2013

Newalta Corporation
65 Green Mountain Rd
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 Approval No. A181008 issued on September 6, 1996 and amended on 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, June 19, 2007, October 9, 2007 April 16, 2008, September 29, 2008, October 12, 2010, March 7, 2011, May 2, 2012 and January 18, 2013 for the use and operation of a 41.5 ha (102.5 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 Definitions are hereby amended as follows:

"Buffer " means those lands and easements as shown in Item No. 63 of Schedule "A".

"Site " means the entire waste disposal site including the landfilling area and the buffer lands as shown on Figure No. 5 of Item No. 63 as listed in Schedule "A" of this *ECA*

The following Conditions are hereby revoked:

Condition 46

The following Conditions are hereby amended as follows:

10. No waste shall be landfilled outside the limits of the base grading plan as shown in Item 63 - Figure 8 in Schedule A and the top of final waste contours as shown in Item No. 63 - Figure 5 in Schedule "A".

No waste shall be disposed of within the buffer lands.

22. The landfill Site waste final contours shall not exceed those outlined on Figure 5 in Item 63 in Schedule "A".
45. The *Site* should be operated so as to not exceed predicted noise impact as set out in Item No. 64 of the attached Schedule "A", and in any event, noise generated by the operation of the *Site* shall not exceed the MOE landfill noise guidelines at any residence.

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

63. Report entitled "Newalta Stoney Creek Landfill Reconfiguration Supporting Documentation" prepared for Newalta Corporation by AECOM (Project No. 60290994) dated August 2013.
64. Report entitled "Newalta Corporation - Stoney Creek Landfill Acoustic Assessment Report" prepared by AECOM (Project No. 60265424) dated October 2013.

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

1. *The reasons for the amendment to the Condition Nos. 10, 22 and 45 are to reflect the proposed changes to the landfill footprint. This is to ensure the landfill is constructed and operated in accordance with the submitted information to ensure the environment and human health are protected.*

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

In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me and the Environmental Review Tribunal within 15 days after receipt of this Notice, require a hearing by the Tribunal. Section 142 of the Environmental Protection Act provides that the Notice requiring the hearing shall state:

1. The portions of the environmental compliance approval or each term or condition in the environmental compliance approval in respect of which the hearing is required, and;
2. The grounds on which you intend to rely at the hearing in relation to each portion appealed

Pursuant to subsection 139(3) of the Environmental Protection Act, a hearing may not be required with respect to any terms and conditions in this environmental compliance approval, if the terms and conditions are substantially the same as those contained in an approval that is amended or revoked by this environmental compliance approval.

The Notice should also include:

3. The name of the appellant;
4. The address of the appellant;

5. The environmental compliance approval number;
6. The date of the environmental compliance approval;
7. The name of the Director, and;
8. The municipality or municipalities within which the project is to be engaged in

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

This Notice must be served upon:

The Secretary*
Environmental Review Tribunal
655 Bay Street, Suite 1500
Toronto, Ontario
M5G 1E5


AND

The Director appointed for the purposes of
Part II.1 of the Environmental Protection Act
Ministry of the Environment
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) 212-6349, Fax: (416) 314-3717 or www.ert.gov.on.ca**

The above noted activity is approved under s.20.3 of Part II.1 of the Environmental Protection Act.

DATED AT TORONTO this 22nd day of November, 2013



Tesfaye Gebrezghi, P.Eng.
Director
appointed for the purposes of Part II.1 of the
Environmental Protection Act

DG/
c: District Manager, MOE Hamilton - District
Larry Fedec, AECOM

AMENDMENT TO ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER A181008

Notice No. 9

Issue Date: January 18, 2013

Newalta Corporation
1100 Burloak Dr, No. 500
Burlington, Ontario
L7L 6B2

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

You are hereby notified that I have amended Approval No. A181008 issued on June 18, 1999, and subsequently 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:

I. The following conditions of this Environmental Compliance Approval are hereby amended:

23. The annual tonnage of approved waste received at the Site for final disposal shall not exceed 750,000 tonnes in any consecutive twelve (12) month period, as calculated on a daily basis. The maximum daily tonnage of approved waste received at the Site for final disposal shall not exceed 8,000 tonnes.
25. Only waste generated within the Province of Ontario may be received for disposal at this Site.

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

60. Environmental Compliance Approval Application signed by Lorenzo Alfano, Newalta dated November 15, 2012 for amending Conditions 23 and 25 of the ECA.
61. Report entitled "Environmental Screening Report Stoney Creek Landfill Newalta Landfill" dated September, 2012.
62. Email of January 14, 2013 from Greg Jones, Newalta to Rick Li, Ministry of the Environment and the attachment providing a response to the MOE comments on the proposed modifications to Conditions 23

and 25 of the ECA.

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

1. Condition 23 is amended to allow the Owner more flexibility in managing fluctuation in business demand while maintaining the existing approved annual and daily tonnage limit of wastes accepted at the Site.
2. Condition 25 is amended to change the service area of the Site to allow acceptable waste materials from throughout Ontario be directly transported to the Site.

This Notice shall constitute part of the approval issued under Approval No. A181008 dated

In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me and the Environmental Review Tribunal within 15 days after receipt of this Notice, require a hearing by the Tribunal. Section 142 of the Environmental Protection Act provides that the Notice requiring the hearing shall state:

1. The portions of the environmental compliance approval or each term or condition in the environmental compliance approval in respect of which the hearing is required, and;
2. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

Pursuant to subsection 139(3) of the Environmental Protection Act, a hearing may not be required with respect to any terms and conditions in this environmental compliance approval, if the terms and conditions are substantially the same as those contained in an approval that is amended or revoked by this environmental compliance approval.

The Notice should also include:

3. The name of the appellant;
4. The address of the appellant;
5. The environmental compliance approval number;
6. The date of the environmental compliance approval;
7. The name of the Director, and;
8. The municipality or municipalities within which the project is to be engaged in.

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

This Notice must be served upon:

The Secretary*
Environmental Review Tribunal
655 Bay Street, Suite 1500
Toronto, Ontario
M5G 1E5

AND

The Director appointed for the purposes of
Part II.1 of the Environmental Protection Act
Ministry of the Environment
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) 212-6349, Fax: (416) 314-4506 or www.ert.gov.on.ca

The above noted activity is approved under s.20.3 of Part II.1 of the Environmental Protection Act.

DATED AT TORONTO this 18th day of January, 2013



Tesfaye Gebrezghi, P.Eng.

Director

appointed for the purposes of Part II.1 of the
Environmental Protection Act

RL/

c: District Manager, MOE Hamilton - District
Larry Fedec, AECOM



Minister
Ministre

Ministry of
Environment
and Energy

Ministère de
l'Environnement
et de l'Énergie

135 St. Clair Avenue West
Toronto ON M4V 1P5

135, avenue St. Clair ouest
Toronto ON M4V 1P5

54850

July 19, 1996

REGISTERED MAIL

Mr. John Fisher
General Manager
Taro Aggregates Ltd.
65 Green Mountain Road
Stoney Creek, Ontario
L8J 1X5

Dear Mr. Fisher:

With regard to the proposed East Quarry Landfill Environmental Assessment, attached please find a signed copy of the Notice of Approval to Proceed with the Undertaking which was approved on July 17, 1996 by Order-in-Council No. 1422/96 (also attached), as required by the Environmental Assessment Act.

Yours sincerely,

Brenda Elliott
Minister

Enclosure

cc: Mr. Dominic Agostino, M.P.P.
Hamilton East

Mr. Trevor Pettit, M.P.P.
Hamilton Mountain

Mr. Ed Doyle, M.P.P.
Wentworth East

ENVIRONMENTAL ASSESSMENT ACT

SECTION 14

NOTICE OF APPROVAL TO PROCEED WITH THE UNDERTAKING

RE: An Environmental Assessment for the East Quarry Landfill Site in the City of Stoney Creek in The Regional Municipality of Hamilton-Wentworth

Proponent: Taro Aggregates Ltd.

EA File No.: PR-TA-02

TAKE NOTICE that the period for requiring a hearing, provided for in the Notice of Acceptance of the Environmental Assessment for the undertaking, expired on May 17, 1996.

Having considered the purpose of the Act, the Environmental Assessment of the undertaking as accepted and the submissions received, I determine that a hearing is unnecessary and I hereby give approval to proceed with the undertaking subject to the attached terms and conditions.

REASONS:

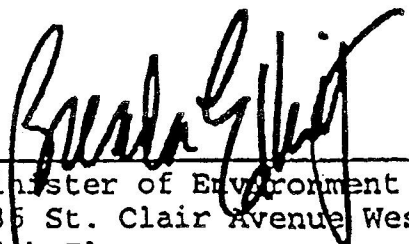
My reasons for determining that a hearing is unnecessary and for giving approval are:

1. The Ministry of the Environment and Energy's Technical Review Team has concluded that the proposed East Quarry Landfill Site can be approved, and that the environment can be adequately protected through terms and conditions.
2. Two independent peer reviews concluded that the landfill site can be constructed and operated subject to terms and conditions. The City's consultant concluded that 'it is possible to construct and operate a landfill site in the

East Quarry in an environmentally acceptable manner provided that the site is subject to terms and conditions to ensure environmental safety'. The peer review team of Taro's Study Group found that the site can be developed and operated in an environmentally safe and sound fashion subject to terms and conditions.

- 3. The matters identified by the majority of the Government Review Team can be addressed through terms and conditions attached to the approval.
- 4. The Regional Municipality is not opposed to the application, subject to certain conditions.
- 5. The Regional Health Department, with support from McMaster University, is of the opinion that there would be no significant health impacts from operation of the East Quarry Landfill Site.
- 6. Many of the concerns noted by members of the public will be addressed through terms and conditions of approval under the Environmental Assessment Act and Environmental Protection Act.
- 7. The Study Group which was involved from the beginning of the project is of the view that the project can proceed subject to terms and conditions.
- 8. While the Council of the local municipality does not support the project, there are no overriding environmental issues which can not be adequately addressed through terms and conditions.

Dated the 15 day of July, 1996 at TORONTO.


 Minister of Environment and Energy
 135 St. Clair Avenue West
 12th Floor
 Toronto, Ontario
 M4V 1P5

Approved by O.C. No. 1422-96

Terms and Conditions

**East Quarry Landfill Site
under the
*Environmental Assessment Act***

O.C. / Décret 1422 / 96

1.0 Definitions

For the purpose of these Terms and Conditions:

- 1.1 "Proponent" means Taro Aggregates Ltd. and includes its administrators, successors and assigns.
- 1.2 "Site" refers to the East Quarry Landfill Site.
- 1.3 "MOEE" refers to the Ministry of Environment and Energy.
- 1.4 "CLC" refers to the Community Liaison Committee.

The following conditions apply to the East Quarry Landfill Site, unless otherwise specified.

2.0 General Requirements

- 2.1 The proponent shall comply with all of the provisions of the Environmental Assessment as accepted by the Minister of Environment and Energy which are incorporated herein by reference except as provided in these conditions and as provided in any Part V *Environmental Protection Act* Provisional Certificate of Approval for the site.
- 2.2 Where a document is required for the public record, it shall be provided to the Director of the Environmental Assessment Branch for filing with the public record file maintained for the undertaking. Additional copies of all such documents will be provided by the proponent for public access to:
 - the Regional Director of the MOEE;
 - the offices of The Corporation of the City of Stoney Creek and The Regional Municipality of Hamilton-Wentworth;
 - at least one local library; and
 - to the Community Liaison Committee.
- 2.3 All financial liabilities and other responsibilities that are associated with the design, development, operation, closure, monitoring, leachate and gas collection, and remedial measures related to the site are binding on the proponent. Remedial measures include the restoration of water supplies affected by the proponent's landfill operations.

2.4 Yearly Report

Each year, until the fifth year after the completion of closing of the site, the proponent shall issue a yearly report which describes compliance with these and any other conditions of approval. A copy of each report will be forwarded to:

- the Public Record of the Environmental Assessment Branch, and;
- the Medical Officer of Health for The Regional Municipality of Hamilton-Wentworth.

The Regional Director of the MOEE shall review the report. This report can also address any condition of approval to prepare an 'yearly report' under the *Environmental Protection Act*.

2.4.1 The proponent shall publish notice of the availability of the yearly report in local newspapers designated from time to time by the CLC.

3.0 Technical Requirements

3.1 *3R's Technologies*

Every five years after the site becomes operational, the proponent shall assess the waste residues received from Philips and waste received from other sources to determine whether any 3R's technologies could be used economically to further divert the residues from landfill. The proponent will present the findings of the assessment to the CLC.

3.2 *Aggregates Resources Act*

The proponent will apply to the Ministry of Natural Resources to amend the East Quarry's site plan under the provisions of the *Aggregates Resources Act*.

3.3 *Highway Improvements*

The proponent will consult with the Ministry of Transportation on matters pertaining to intersection improvements at Highway 20 and Green Mountain Road, access improvement to the East Quarry from

Highway 20, and drainage management regarding the East Quarry and the Highway 20 right-of-way and obtain any necessary permits and approvals.

3.4 **Landscaping Plan**

The proponent, in consultation with the CLC, shall develop a landscaping plan for the East Quarry landfill site to be submitted to the MOEE West Central Regional Director for review and approval within 6 months of receiving approval under the *Environmental Assessment Act*. The landscaping plan shall take all reasonable measures to ensure that visual impact resulting from the operation of the site is minimized. The proponent shall commence implementation of the landscaping plan no later than the next landscaping season following approval of the plan by the MOEE West Central Regional Director.

4.0 **The Wentworth County Board of Education**

The proponent will make every effort to ensure that the existing or pre-landfill level of safety for school buses will be maintained through the operational life of the landfill. Any decrease in the present level of safety, due directly to operational activities associated with the East Quarry Landfill, will be responsibility of Taro to mitigate and/or eliminate to the satisfaction of The Wentworth County Board of Education.

Taro shall consult with The Wentworth County Board of Education on the proposed truck traffic routes for the East Quarry Landfill and mutually assess whether further study is required to investigate the safety of school bus traffic. Any additional costs associated with Taro incurred by The Wentworth County Board of Education shall be the sole responsibility of the proponent, which shall reimburse the Board for any costs not borne directly by the proponent.

5.0 **The Corporation of the City of Stoney Creek (the "City")**

5.1 Before the East Quarry becomes operational, the proponent shall complete its Community Impact Management Program, including an Agreement with the City and the Study Group with respect to compensation to the municipality.

If the parties are unable to successfully negotiate a Community Impact Management Program, then the program shall be the subject of mediation through the facilities of the Environmental Assessment Board.

- 5.2 Taro shall fund the preparation of a detailed secondary plan to be prepared by the City for the lands designated as "Special Policy Area B" in the City of Stoney Creek Official Plan. The secondary plan shall specify the approximate mix, timing of development, etc. in the context of the proposed East Quarry Landfill.

A Steering Committee shall be established to oversee the preparation of the Secondary Plan. This steering committee shall be comprised of representatives of the City, Taro and any other land owners within Special Policy Area "B". The City shall retain consultants to participate in the preparation of the Secondary Plan who are acceptable to both the City and Taro.

- 5.3 The proponent will enter into a Site Plan Agreement with the City, which will include provisions for landscaping the East Quarry Landfill site.

- 5.4 The proponent shall continue to work with the City and the Study Group to resolve all outstanding technical matters in respect of the Part V *Environmental Protection Act* provisional Certificate of Approval for the site.

Any matter with respect to the Part V *Environmental Protection Act* provisional Certificate of Approval which cannot be resolved by negotiation may be referred to mediation by either the proponent, the Study Group or the city. Such mediation shall be conducted by one or more members of the Environmental Assessment Board. The parties to the mediation shall be the proponent, the City, the Ministry of the Environment and Energy and the study Group, being the parties which have participated in the negotiation on the technical matters referred to above. The final decisions on the terms and conditions will be made by the Director issuing the approval.

5.5 Financial Assurance

Taro shall prepare a financial assurance package in accordance with Ministry of Environment and Energy guide entitled "Financial Assurance (Part XII - Ontario Environmental Protection Act) A Guide", May 1996. The financial assurance package shall be submitted as part of the *Environmental Protection Act* approval documentation and be reviewed and accepted by the Director prior to issuance of a Certificate of Approval under Part V of the *Environmental Protection Act*.

The City shall have the right to review and comment on the financial assurance package.

5.6 Hydrogeologic Modelling

Taro shall document the modelling conducted according to standard modelling documentation requirements. The documentation should contain sufficient information and allow third party review of all aspects. The assessment documentation shall be submitted as part of the *Environmental Protection Act* approval documentation, and be reviewed and accepted by the Director prior to issuance of a Certificate of Approval under the *Environmental Protection Act*.

The City shall have the right to review and comment on the modelling documentation.

5.7 West Quarry Remedial Works

Taro shall assess and document the West Quarry remedial works. This documentation shall be submitted, along with any updates in support of the *Environmental Protection Act* approval documentation for the East Quarry Landfill Site. The Provisional Certificate of Approval for the East Quarry Landfill Site shall not be issued until the remedial works for the West Quarry Landfill Site have been approved by the Director, as part of the Provisional Certificate of Approval for the West Quarry Landfill Site.

The City shall have the right to review and comment on the West Quarry remedial works documentation.

The "yearly report" submitted under condition 2.4 shall include a review of the performance of the West Quarry remedial works and

any changes that have been made or are proposed to be made in them.

5.8 Impact of Development South of the East Quarry Landfill Site on Ground Water

Taro shall conduct an assessment of the reasonable impacts on the ground water flow system as a result of development south of the landfill for the contaminating lifespan of the landfill. The assessment shall include modelling where applicable. The assessment documentation shall be submitted as part of the *Environmental Protection Act* approval documentation, and be reviewed and accepted by the Director prior to the issuance of a Certificate of Approval under the *Environmental Protection Act*.

The City shall have the right to review and comment on the ground water assessment documentation.

5.9 Long-term Impact of Dewatering

A full and complete assessment of the impacts of long-term dewatering and the impacts of ground water upwelling shall be completed. The assessment documentation shall be submitted as part of the *Environmental Protection Act* approval documentation, and be reviewed and accepted by the Director prior to Issuance of a Certificate of Approval under the *Environmental Protection Act*.

The City shall have the right to review and comment on the long-term ground water assessment documentation.

5.10 Contingency Plan Development

Contingency plans outlined in the EA documentation shall be enhanced to a conceptual level that allows for design, capital and operating costs to be developed for each contingency. The contingency plan shall be included within the financial assurance package. The documentation shall be submitted as part of the *Environmental Protection Act* approval documentation, and be reviewed and accepted by the Director prior to Issuance of a Certificate of Approval under the *Environmental Protection Act*.

The City shall have the right to review and comment on the contingency plans.

6.0 Regional Municipality of Hamilton-Wentworth

6.1 Taro shall attempt to negotiate a royalty to be paid to The Regional Municipality of Hamilton-Wentworth on each tonne of waste entering the East Quarry Landfill for disposal.

7.0 Compensation Agreement

Prior to commencing operations, the proponent shall enter into a compensation agreement reflecting the principles and amounts set out in the paragraphs numbered 6.1 in the letter of Gowlings to the Minister dated May 9, 1996, a copy of which is in the public record, and the proponent shall make payments in accordance with the agreement.

8.0 Long Term Study of Health Impacts

Taro shall undertake a long term study of sources of potential health impacts and develop a health impact prevention programme in accordance with the Terms of Reference set-out in the Attachment, headed Schedule I, to the letter of May 9, 1996, from Gowlings to the Minister.

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER A181008

Issue Date: February 23, 2021

Revolution Landfill Acquisition GP Inc.
1100 Burloak Dr, No. 500
Burlington, Ontario
L6L 6B2

Site Location: 65 Green Mountain Road West
Hamilton City, Ontario
L8J 1X5

You have applied under section 20.2 of Part II.1 of the Environmental Protection Act, R.S.O. 1990, c. E. 19 (Environmental Protection Act) for approval of:

the use and operation of a 59.1 ha (146 acres) landfill site within a total site area of 73.9 ha (185.5 acres), being known as the Stoney Creek Regional Facility

For the purpose of this environmental compliance approval, the following definitions apply:

"Adverse Effect " is as defined in the Environmental Protection Act, R.S.O. 1990.

"Approval" means this entire Environmental Compliance Approval, issued in accordance with Section 20.2 of the *EPA* , and includes any schedules to it, the application and the supporting documentation listed in Schedule "A".

"Best Management Practices " means an approach to managing water quality as described in the June 1991 provincial document entitled "Storm Water Quality Best Management Practices" and MOEE "Interim Storm Water Quality Guidelines for New Development", May 1991, as amended.

"City " means the City of the Hamilton.

"CLC" means the Stoney Creek Regional Facility Community Liaison Committee.

"Commercial " means a place of business or facilities where merchandise or services can be exchanged by the general public, including hotels, retail stores, services shops and premises, public service amusements and small workshops, and offices, including government offices and

administrative offices of an institution where such offices are located beyond the area where the services of the institution are primarily delivered.

"**Contaminating Lifespan**" refers to the period of time, after closure until the site finally produces contaminants at concentrations below levels which have unacceptable health or environmental effects.

"**Crown** " means Her Majesty the Queen in Right of Ontario.

"**Director** " means any *Ministry* employee appointed in writing by the Minister pursuant to section 5 of the EPA as a Director for the purposes of Part V of the EPA.

"**District Manager** " means the District Manager in the Ministry's Hamilton District Office.

"**District Office** " means the Ministry's Hamilton District Office.

"**EPB**" means to the Environmental Permissions Branch of the Ministry.

"**EPA** " means the Environmental Protection Act, R.S.O. 1990, Chapter E.19, as amended.

"**Institutional** " means facilities and services provided for the use of the public or particular segments of the public on a non profit basis, whether provided directly or indirectly by government, charitable, community, non-profit or other social agencies, and including such uses as, hospitals, post-secondary educational facilities, major public art galleries, museums and libraries, and any office associated with such uses.

"**Major Works** " means all aspects of the leachate, ground water and surface water management system; erosion control and landfill gas control systems; landfill liner and hydraulic containment systems.

"**Ministry** " means the Ministry of Environment, Conservation and Parks.

"**ODWS** " means the Ontario Drinking Water Standards.

"**Operator** " has the same meaning as "operator" as defined in s.25 of the *EPA* .

"**Owner** " means Revolution Landfill LP by it's general partner Revolution Landfill Acquisition GP Inc. and its successors and assigns.

"**OWRA** " means the Ontario Water Resources Act, R.S.O. 1990, c.0.40, as amended.

"**PA** " means the *Pesticides Act* , R.S.O. 1990, c. P-11, as amended from time to time.

"**Preparation Report**" refers to a report documenting that the subsequent stage of the landfill has been constructed in accordance with the approved design plans and specifications.

"Provincial Officer " means any person designated in writing by the Minister as a provincial officer pursuant to section 5 of the *OWRA* or section 5 of the *EPA* or section 17 of *PA*.

"Putrescible " means material that undergoes decomposition, typically organic wastes (i.e. food or kitchen type wastes), but does not include material within which decomposition is incidental.

"PWQO " means the Provincial Water Quality Objectives.

"Regional Director " means the Director of the Ministry's West Central Region.

"Reasonable Use Guideline " means the Ministry Guideline B-7 (formerly Policy 15-08) entitled "Incorporation of the Reasonable Use Concept into MOEE Groundwater Management Activities", dated April 1994, as amended.

"Regulation 347 " or "Reg. 347 " or "O. Reg. 347 " means Regulation 347, R.R.O. 1990, made under the *EPA* , as amended from time to time.

"Site " means the entire waste disposal site including the landfilling area and the buffer lands, located at 65 Green Mountain Road West, Hamilton City, Ontario.

"Storm Water Management Practices " means an approach to managing water quality as described in the provincial document entitled "Storm Water Management Practices Planning and Design Manual", June 1994 as amended.

"Supporting Documentation " refers to the reports listed in Schedule "A" of this Approval.

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

TERMS AND CONDITIONS

1.0 GENERAL

Compliance

- 1.1 The Owner shall ensure that any person authorized to carry out work on or operate any aspect of the Site is notified of the Approval and the conditions herein and shall take all reasonable measures to ensure the person complies with the same.
- 1.2 Any person authorized to carry out work on or operate any aspect of the Site shall comply with the conditions of this Approval .

In Accordance

- 1.3 Except as otherwise provided for in this Approval , the Site shall be designed, developed,

constructed, operated and maintained in accordance with the supporting documentation listed in Schedule "A".

Other Legal Obligations

- 1.4 The issuance of, and compliance with, this Approval does not:
- a. relieve any person of any obligation to comply with any provision of the EPA or any other applicable statute, regulation or other legal requirement; or
 - b. limit in any way the authority of the Ministry to require certain steps be taken or to request that any further information related to compliance with this Approval be provided to the Ministry ;

unless a provision of this Approval specifically refers to the other requirement or authority and clearly states that the other requirement or authority is to be replaced or limited by this Approval .

Adverse Effect

- 1.5 The Owner or Operator remain responsible for any contravention of any other condition of this Approval or any applicable statute, regulation, or other legal requirement resulting from any act or omission that caused the adverse effect or impairment of air and/or water quality.

Furnish Information

- 1.6 Any information requested by the Director or a Provincial Officer concerning the Site and its operation under this Approval , including but not limited to any records required to be kept by this Approval shall be provided in a timely manner.
- 1.7 The receipt of any information by the Ministry or the failure of the Ministry to prosecute any person or to require any person to take any action, under this Approval or under any statute, regulation or subordinate legal instrument, in relation to the information, shall not be construed as:
- a. an approval, waiver, or justification by the Ministry of any act or omission of any person that contravenes any condition of this Approval or any statute, regulation or other subordinate legal requirement; or
 - b. acceptance by the Ministry of the information's completeness or accuracy.
- 1.8 Any information related to this Approval and contained in Ministry files may be made available to the public in accordance with the provisions of the Freedom of Information and Protection of Privacy Act, RSO 1990, CF-31.

Interpretation

- 1.9 This Approval revokes and replaces the previous Approval and all subsequent amendments.
- 1.10 Where there is a conflict between a provision of any document, including the application, referred to in this Approval , and the conditions of this Approval, the conditions in this Approval shall take precedence.
- 1.11 Where there is a conflict between the application and a provision in any documents listed in Schedule "A", the application shall take precedence, unless it is clear that the purpose of the document was to amend the application and that the Ministry approved the amendment in writing.
- 1.12 Where there is a conflict between any two documents listed in Schedule "A", other than the application, the document bearing the most recent date shall take precedence.
- 1.13 The conditions of this Approval are severable. If any condition of this Approval , or the application of any condition of this Approval to any circumstance, is held invalid or unenforceable, the application of such condition to other circumstances and the remainder of this Approval shall not be affected thereby.

Certificate of Requirement

- 1.14 Pursuant to Section 197 of the EPA , no person having an interest in the Site shall deal with the Site in any way without first giving a copy of this Approval to each person acquiring an interest in the Site as a result of the dealing.
- 1.15 In the event any additional land is acquired that will be included as part of the Site, then two (2) copies of a completed Certificate of Requirement, containing a registerable description of the Site , shall be submitted to the Director for the Director's signature within sixty (60) calendar days of a notice being issued for the Site that incorporates the land into the Approval.
- 1.16 In the event any additional land is acquired that will be included as part of the Site as discussed in Condition 1.15 then the Certificate of Requirement shall be registered in the appropriate land registry office on title to the Site and a duplicate registered copy shall be submitted to the Director within ten (10) calendar days of receiving the Certificate of Requirement signed by the Director .

No Transfer or Encumbrance

- 1.17 No portion of this Site shall be transferred or encumbered prior to or after closing of the Site unless the Director is notified in advance and is satisfied with the arrangements made to ensure that all conditions of this Approval will be carried out and that sufficient financial assurance is deposited with the Ministry to ensure that these conditions will be carried out.

Change of Owner

- 1.18 The Owner shall notify the Director , in writing, and forward a copy of the notification to the District Manager , within 30 days of the occurrence of any changes in the following information:
- a. the ownership of the Site ;
 - b. the Operator of the Site ;
 - c. the address of the Owner or Operator ;
 - d. the partners, where the Owner or Operator is or at any time becomes a partnership and a copy of the most recent declaration filed under the Business Names Act , R. S. O. 1990, c. B.17, shall be included in the notification; and
 - e. the name of the corporation where the Owner or Operator is or at any time becomes a corporation, other than a municipal corporation, and a copy of the most current information filed under the Corporations Information Act , R. S. O. 1990, c. C.39, shall be included in the notification.
- 1.19 In the event of any change in the ownership of the Site, other than a change to a successor municipality, the Owner shall notify in writing the succeeding owner of the existence of this Approval , and a copy of such notice shall be forwarded to the Director and District Manager .

Inspections

- 1.20 No person shall hinder or obstruct a Provincial Officer from carrying out any and all inspections authorized by the EPA or the PA , of any place to which this Approval relates, and without limiting the foregoing:
- a. to enter upon the premises where the approved works are located, or the location where the records required by the conditions of this Approval are kept;
 - b. to have access to, inspect, and copy any records required to be kept by the conditions of this Approval ;
 - c. to inspect the Site, related equipment and appurtenances;
 - d. to inspect the practices, procedures, or operations required by the conditions of this Approval ; and
 - e. to sample and monitor for the purposes of assessing compliance with the terms and conditions of this Approval or the EPA , or the PA .

Approval Referencing

- 1.21 The Owner shall ensure that all communication made pursuant to this Approval will refer to Approval No. A 181008.

2.0 FINANCIAL ASSURANCE

Overview

- 2.1 Financial assurance (FA) for the Site shall be provided as required by the Director, in an amount that is sufficient to pay for compliance with and performance of any action specified in this Approval, including emergency close out, monitoring and maintenance of the Site, planned close out whether or not the Site reaches approved capacity, maintenance of all required contaminant control systems including leachate management systems, contaminant monitoring for the Contaminating Lifespan of the Site and contingency plans for the Site in accordance with Schedule “B” of this Approval. The Owner shall provide regular updates to the CLC and the City regarding the value of the financial assurance.
- 2.2 Financial assurance may be provided in one or more of the following forms: cash, irrevocable letter of credit, surety bond, or some other form, all satisfactory to the Director .

Inflation Rate

- 2.3 The Owner shall ensure the methodology for calculating the inflation rate for the financial assurance re-evaluation is the current approach deemed acceptable by the Ministry.

Interest (Discount) Rate

- 2.4 The Owner shall ensure the methodology for calculating the discount rate for the financial assurance re-evaluation is the current approach deemed acceptable by the Ministry.

Proposed payment schedule

- 2.5 (1) By no later than **December 31, 2019**, the Owner shall ensure that the Director, Financial Assurance, as defined in Section 131 of the Act, has in the amount of Twenty Nine million, Two Hundred and Fifty One thousand, Five Hundred and Fifty Nine dollars (**CDN\$29,251,559**) in financial assurance for the Site. 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.
- (2) The Owner shall provide the Ministry financial assurance (total amount, not additional amount) in a form acceptable to the Director as follows for the following years:
- i. December 31, 2020 - **\$30,532,581.00**
 - ii. December 31, 2021 - **\$31,813,604.00**
 - iii. December 31, 2022 - **\$33,094,626.00**
- 2.6 (1) A revised or new Financial Assurance Re-Evaluation Report is to be prepared and submitted to the Director every three (3) years starting on **March 31, 2022**. The report shall include:

- a. updates of the discount, interest and inflation rates associated with the requirements for financial assurance in this Approval including justifications and sources of the proposed rates; and
- b. a report prepared by a qualified Professional Engineer which updates the cost estimates on which the amounts associated with the requirements for financial assurance in this Approval are based.

- (2) Commencing on **March 31, 2022** the Owner shall prepare and maintain at the Site an updated re-evaluation of the amount of financial assurance required to implement the actions required under Condition 2.5 for each of the intervening years in which a re-evaluation is not required to be submitted to the Director under Condition 2.6 (1). The re-evaluation shall be made available to the Ministry, upon request.
- (3). 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.

2.7 (1) The report referenced in the above condition shall take into consideration the:

- a. actual amounts of waste landfilled;
- b. projected rate of fill;
- c. capping of completed fill areas;
- d. empirical leachate generation rates;
- e. a recalculation of the Contaminating Life Span of the Site;
- f. any measures that have been carried out or need to be carried out to prevent and ameliorate any adverse effect that relates to the Site; and
- g. annual inspection, maintenance, and monitoring costs, including costs for leachate treatment and disposal.

- (2) In the event that any contingency measures have been carried out, the report shall describe the contingency measures remaining to be carried out and a confirmation by the Owner to the Director as to the work which has been done and materials supplied by the Owner relating to the contingency measures, the fair value, thereof, and the balance required to be retained as financial assurance to carry out remaining contingency measures.

2.8 No waste shall be received, accepted, disposed or transferred at the site unless financial assurance is received.

3.0 COMMUNITY LIAISON COMMITTEE

- 3.1 The Owner shall ensure that the continuance, mandate, membership, operation and funding of the existing CLC is completed in accordance with the Terms of Reference described in Schedule "G". (Terms of Reference for the CLC).
- 3.2 The Owner shall ensure a copy of the terms of reference for the CLC shall be publicly available.
- 3.3 The Owner shall provide the CLC and the City with access to non-proprietary documents including consultants reports relating to the Site in accordance with protocols agreed to between the Owner and the City and the CLC. In addition, the Owner shall provide the CLC and the City with copies of the annual reports required to be submitted to the Director and Regional Director . The Terms of Reference for the CLC shall include these protocols.
- 3.4 After notifying the Owner and meeting all appropriate Health and Safety regulations, the Owner shall allow the CLC and the City reasonable access to the Site, accompanied by a Owner official.
- 3.5 The Owner in conjunction with the CLC and the City shall continue to maintain a public complaints procedure that includes:
 - a. Circulating on a quarterly basis all complaints to members of the CLC, City and keeping a public record at the Owner offices. Copies of complaint forms will be available at the Site office.
 - b. A 24-hour emergency telephone number to receive any complaints and to respond immediately. Written responses are to be provided by the Owner to the complainant within ten days of receipt of a complaint.
 - c. Recording the name and address of the complainant if given, and the date, time and nature of complaint.
 - d. Reviewing with the CLC and the City at least twice annually, all complaints about the operations of the Site and the Owner 's response/action. Complaints about exceedances are to be reviewed with the CLC and the City at each meeting of the CLC. Complaints that are not resolved within a period of ninety (90) days shall be referred to the CLC for review and resolution.
 - e. Summarizing all complaints received and how they were addressed in the annual report.

4.0 CONSTRUCTION, INSTALLATION and PLANNING

Major Works

- 4.1 For the purposes of this Approval the following are Major Works :