

Schedule G

This Schedule “G” forms part of the Approval.

The following are the Terms of Reference for the CLC:

Continuance:

The Owner shall continue to maintain a community liaison committee to be known as the Terrapure Stoney Creek Regional Facility Community Liaison Committee (CLC) that will be guided by the Terms of Reference as outlined below and applicable Conditions in this Approval

Mandate:

The mandate of the CLC is to:

- (a) Provide a forum for public concerns to be raised and for mitigation measures to be discussed.
- (b) Serve for the dissemination, review and exchange of information and monitoring results relevant to the undertaking.

Changes to operation or mandate of this committee shall have the agreement of the Owner , 2/3 of all voting members and the approval of the Regional Director of West Central Region of the Ministry of the Environment, Conservation and Parks.

If there is no interest from the public in participating in a CLC or if there is no interest in continuing a CLC after one has been established, the Owner shall publish a notice at least once a year inviting expressions of interest in forming the CLC.

Membership:

Membership on the CLC 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 CLC may operate with a minimum of two community representatives. The term of the community representatives on the CLC shall be the same as for the City of Hamilton representatives, four years. These terms should be staggered to avoid complete turnover 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.

The committee reserves the right to elect one Alternate Community Member. The Alternate Community Member is invited to attend meetings and to participate as an official voting member in case one of the other appointed community members is unable to attend. This position will help ensure quorum at each meeting and will help in succession planning for the committee, as the Alternate Community Member will be eligible to put his/her name forward for consideration as a full Community Member

B) Non- Voting Members

- a. There shall be one non-voting representative of the MECP on the CLC .
- b. There shall be two non-voting members appointed by the Owner on the CLC.

The following new agencies, communities and stakeholders will be invited to join the community liaison committee:

- a. Interested Indigenous communities as identified in the Indigenous consultation plan
- b. Representatives from the Hamilton Wentworth District School Board
- c. Representatives from Hamilton Wentworth Catholic School Board

Operation of the CLC:

The CLC shall elect a chair from the voting members of the CLC 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 CLC shall consist of advertising for interested applicants in both a daily newspaper and a local community newspaper by the Owner . If the CLC disbands due to lack of sufficient interest but then subsequently reforms at a future date, selection of the new group of community representatives will be made by a selection committee comprised of the City of Hamilton, MECP and Owner members. Subsequent selection will be conducted by the entire CLC , with input from both voting and non- voting members.

Meeting Procedures for CLC:

- a. Routine meetings shall be held at the discretion of the voting members of the CLC to a maximum of once per quarter. 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. If quarterly meetings are not held, the Owner shall circulate Site updates on a quarterly basis by email.
- d. Meeting dates, meeting agendas and meeting minutes or quarterly updates shall be publicly accessible. The CLC shall maintain additional general meeting rules and operating guidelines, including a quorum, procedures for voting, notice of meetings and procedures for open houses and public forum.

Funding for the CLC:

The Owner shall provide nominal funding, as required, for the reasonable costs of the operation of the CLC , excluding the costs of administrative services and quarterly meeting space, which is to be provided by the Owner at the Site.

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

1. *The reason for inclusion of the definitions is to define the specific meaning of terms and simplify the wording of conditions in this Approval.*
2. *The reason for Conditions 1.1 and 1. 2 is to ensure that the Site is designed, operated, monitored and maintained in accordance with the application and supporting documentation submitted by the Owner, and not in a manner which the Director has not been asked to consider.*
3. *The reason for Conditions 1.3, 1.4, 1.5, 1.9, 1.10, 1.11, 1.12 and 1.13 is to clarify the legal rights and responsibilities of the Owner under this Approval.*
4. *Conditions 1.6 and 1.7 are included to ensure that the appropriate Ministry staff have ready access to information and the operations of the Site, which are approved under this Approval.*
5. *Condition 1.8 has been included in order to clarify what information may be subject to the Freedom of Information Act.*
6. *Conditions 1.14 to 1.16 inclusive are included, pursuant to subsection 197(1) of the EPA, to provide that any persons having an interest in the Site are aware that the land has been approved and used for the purposes of waste disposal.*
7. *The reasons for Condition 1.17 are to restrict potential transfer or encumbrance of the Site without the approval of the Director and to ensure that any transfer of encumbrance can be made only on the basis that it will not endanger compliance with this Approval.*
8. *The reasons for Conditions 1.18 and 1.19 are to ensure that the Site is operated under the corporate name which appears on the application form submitted for this approval and to ensure that the Director is informed of any changes.*

9. *The reason for Condition 1.20 is to ensure that appropriate Ministry staff have ready access to the Site for inspection of facilities, equipment, practices and operations required by the conditions in this Approval. This condition is supplementary to the powers of entry afforded a Provincial Officer pursuant to the EPA and OWRA.*
10. *The reason for Condition 1.21 is to ensure the Approval is reference in any correspondence to clearly indicate the site that is being discussed.*
11. *The reasons for Conditions 2.1 to 2.8 are to ensure that sufficient funds are available to the Ministry to close the landfill, and to carry out all expected post-closure care activities and any contingencies. Failure to include requirements for financial assurance would not be in the public interest and may result in a hazard or nuisance to the natural environment or any person.*
12. *Conditions 3.1 to 3.5 are to establish and maintain a forum for the exchange of information and public dialogue on activities to be carried out at the landfill site. Open communication with the public and local authorities is important in helping to maintain high standards for site operation and environmental protection.*
13. *The reason for Conditions 4.1 to 4.5 inclusive, 4.7 and 4.8 is to ensure that the Site is designed, constructed and operated in an environmentally acceptable manner, based on the conceptual design and operations for the Site.*
14. *The reason for Condition 4.6 is to ensure the availability of as-built drawings for inspection and information purposes.*
15. *The reason for Conditions 5.1, 5.3 is to ensure that waste disposal at the site is undertaken in accordance with applicable Ministry of the Environment regulations, and the approved documents incorporated into this Approval. Compliance with these regulations and guidelines and an organized operation will ensure that the site does not cause and adverse effect on the environment.*
17. *The reason for Condition 5.2 is to ensure the Owner is aware of their responsibility for ensuring groundwater protection at the Site.*
18. *The reason for Condition 5.4 is to ensure the Owner maintains a 30 m buffer around the landfill site.*
19. *The reasons for Conditions 5.5 are to ensure that users of the Site are fully aware of important information and restrictions related to Site operations under this Approval.*
21. *The reasons for Conditions 5.6, 5.7, and 5.8 are to specify the normal hours of operation for the landfill Site and a mechanism for amendment of the hours of operation.*
22. *The reasons for Conditions 5.9, 5.10, 5.11 and 5.12 are to specify site access to/from the Site*

and to ensure the controlled access and integrity of the Site by preventing unauthorized access when the Site is closed and no site attendant is on duty.

23. *The reason for Conditions 5.13 and 5.14 is to clearly identify the access requirements for the Site.*
24. *The reason for Condition 5.15 is to ensure trucks entering the Site do not cause an impact to traffic.*
25. *The reason for Condition 5.16 is to ensure approval is obtained for any new type of waste to be received at the Site.*
27. *The reasons for Condition 5.17 is to ensure the site is operated in a manner in which as adverse effect does not occur. This is to ensure the long-term protection of the environment and human health.*
28. *The reasons for Condition 5.18 is to ensure that the Site is operated and maintained in an environmentally acceptable manner and does not result in a hazard or nuisance to the natural environment or any person.*
29. *The reason for Condition 5.19, 5.20, 5.21, 5.22, 5.23, and 5.24 are to ensure that noise from or related to the operation of the landfill is kept to within Ministry limits and does not result in a hazard or nuisance to any person.*
30. *The reason for Condition 5.25 is to ensure the Owner receives ministry's approval before discontinuing using the groundwater collection trench.*
32. *The reason Condition 5.26 is to prevent ponding in on site ditches and any adverse impact on the environment and human health.*
33. *The reason for Conditions 6.1, 6.2 and 6.18 is to specify the approved areas from which waste may be accepted at the Site and the types and amounts of waste that may be accepted for disposal at the Site, based on the Owner's application and supporting documentation.*
34. *The reasons for Conditions 6.3, 6.4, 6.5 and 6.6 are to approve the receipt and disposal of non-hazardous incinerator ash at the Site 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.*
35. *The reasons for Conditions 6.7, 6.8, 6.9, 6.10, 6.11 and 6.12 are to ensure that the management and disposal of asbestos waste is done in accordance with regulatory requirements and in a manner that is protective of human health and safety and the environment.*

36. *Condition 6.13, 6.14, and 6.15 specifies the maximum amount of waste that may be received at the site based on the approved Environmental Assessment for the site.*
37. *The reason for Condition 6.16 is to specify restrictions on the extent of landfilling at this Site based on the Owner's application and supporting documentation. These limits define the approved volumetric capacity of the site. Approval to landfill beyond these limits would require an application with supporting documentation submitted to the Director.*
38. *The reason for Condition 6.17 has been imposed to minimize the potential for clogging of the drainage layer and to minimize temperature effects on the leachate collection system.*
39. *Condition 6.19 is necessary in order to ensure that all waste loads are inspected and waste that is disposed of at the site is in accordance with the terms and conditions in this Approval.*
40. *The reason for Condition 6.20 is that open burning of waste is unacceptable because of concerns with air emissions, smoke and other nuisance affects, and the potential fire hazard.*
41. *Conditions 6.21, 6.22, 6.23, 6.24, 6.25, and 6.26 are to ensure that leachate is managed in a manner approved by this Approval.*
42. *The reason for Condition 6.27 is that there is low potential for landfill gas generation due to the nature of waste that has been disposed of at the Site and in accordance with Section 15.3 of O. Reg. 232, the Director has been satisfied that gas collection is not required.*
43. *The reason for Conditions 7.1 are to ensure the major works for the Site are approved based on the ministry approved detailed design drawing.*
44. *Conditions 8.1, 8.2 and 8.3, are needed to ensure regular inspections of the site are conducted in order to protect the natural environment.*
45. *The reason for Conditions 8.4, 8.5, 8.6, 8.7, 8.8, 8.9, 8.10, 8.11, 8.12 and 8.13 are to ensure that accurate waste records are maintained to ensure compliance with the conditions in this Approval (such as fill rate, site capacity, record keeping, annual reporting, and financial assurance requirements), the EPA and its regulations. Record keeping is necessary to determine compliance with this Approval, the EPA and its regulations.*
46. *The reason for Condition 9.1 is to ensure that the Site is supervised and operated by properly trained staff in a manner which does not result in a hazard or nuisance to the natural environment or any person.*
47. *The reason for Condition 10.1 is to ensure that complaints are addressed expeditiously in order to minimize the impact of the Site on the environment and the health and safety of the public.*
48. *The reasons for Conditions 11.1 and 11.2 are to ensure that the Ministry is informed of any*

spills or fires at the Site and to provide public health and safety and environmental protection.

49. *The reasons for Conditions 12.1, 12.2, 12.3, 12.4 and 12.5 are to ensure protection of the natural environment and the integrity of the groundwater monitoring network.*
50. *The reason for Conditions 12.6, 12.7, 12.8, 12.9 and 12.10 are to demonstrate that the landfill site is performing as designed and the impacts on the natural environment are acceptable. Regular monitoring allows for the analysis of trends over time and ensures that there is an early warning of potential problems so that any necessary remedial/contingency action can be taken.*
51. *The reason for Conditions 13.1, 13.2, 13.3, 13.4 and 13.5 are to ensure that the Owner follows a plan with an organized set of procedures for identifying and responding to unexpected but possible problems at the Site. A remedial action / contingency plan is necessary to ensure protection of the natural environment. A leachate contingency plan is a specific requirement of Reg. 232.*
52. *The reasons for Condition 14.1 is to ensure that regular review of site development, operations and monitoring data is documented and any possible improvements to site design, operations or monitoring programs are identified. An annual report is an important tool used in reviewing site activities and for determining the effectiveness of site design.*
53. *The reasons for Conditions 15.1 and 15.2 are to ensure that final closure of the Site is completed in an aesthetically pleasing manner and to ensure the long-term protection of the natural environment.*
54. *Condition 15.3 has been inserted in order to ensure proper public consultation about the end use of the Site is undertaken and that the end use activities are consistent with those identified during the EA process.*

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). A181008 issued on October 31, 2019

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

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

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

compliance approval.

The Notice should also include:

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

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

This Notice must be served upon:

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

AND

The Director appointed for the purposes of Part II.1 of
the Environmental Protection Act
Ministry of the Environment, Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

*** Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349, Fax: (416) 326-5370 or www.ert.gov.on.ca**

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

DATED AT TORONTO this 23rd day of February, 2021



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

IP/

c: District Manager, MECP Hamilton - District
Peter Lesieczko, B. Eng.
, GHD Limited

**Ministère de l'Environnement et
du Changement climatique**

West-Central Region
Technical Support Section
Water Resource
12th Floor
1100 St W
Hamilton ON L9P 4K9
Fax 905-21-2200
Tel 905-21-2204

**Ministère de l'Environnement et de
la Protection de l'environnement
et du Changement climatique**

Direction régionale Centre-Ouest
Service de Soutien Technique
Ressources en eau
12e étage
1100 rue St W
Hamilton ON L9P 4K9
Téléphone 905-21-2200
Télécopieur 905-21-2204



August 21, 2015

Revolution Landfill Acquisition GP Inc. o/a Revolution Landfill LP
Suite 500 - 1100 Burloak Dr.
Burlington, Ontario
L6L 6B2

Attention: Brad Bodo

Dear Sir/Madam:

RE: Lots 25-28, Concession 6
Geographic Township of Saltfleet
City of Hamilton
Permit to Take Water Number 6543-9ZGNU5

Please find attached a Permit to Take Water which authorizes the withdrawal of water in accordance with the application for this Permit to Take Water, dated May 27, 2015 and signed by Brad Bodo.

This Permit expires on August 31, 2025. Authorized rates and amounts are indicated on Table A. This Permit cancels and replaces Permit Number 5161-88QLS6, issued on September 7, 2010.

Ontario Regulation 387/04 (Water Taking and Transfer) requires all water takers to report daily water taking amounts to the Water Taking Reporting System (WTRS) electronic database (<https://www.lrcsde.lrc.gov.on.ca/wtrs/>). Daily water taking must be reported on a calendar year basis. If no water is taken, then a “no taking” report must be entered. Please consult the Regulation and Section 4 of this Permit for monitoring requirements.

If you have questions about reporting requirements, please call the WTRS Help Desk at 416-235-6322 (toll free: 1-877-344-2011) or by email, WTRSHelpdesk@ontario.ca. It is preferred that you submit your data directly and electronically to the WTRS. Where this is impracticable, please contact the WTRS Help Desk to arrange for written submission of your data.

Take notice that in issuing this Permit, terms and conditions pertaining to the taking of water and to the results of the taking have been imposed. The terms and conditions have been designed to allow for the development of water resources, while providing reasonable protection to existing water uses and users.

The Environmental Review Tribunal (ERT) has recently changed its phone and fax phone numbers, and as such you will need to use the following should you wish to contact the ERT:

New Public Inquiry Telephone Number:

Tel. (416) 212-6349

Toll Free 1(866) 448-2248

New Fax Number:

Fax: (416) 326-5370

Toll Free: 1(844) 213-3474

Yours truly,



Belinda Koblik

Director, Section 34.1

Ontario Water Resources Act, R.S.O. 1990

West Central Region

File Storage Number: AP28 SARE

PERMIT TO TAKE WATER
Ground Water
NUMBER 6543-9ZGNU5

Pursuant to Section 34.1 of the Ontario Water Resources Act, R.S.O. 1990 this Permit To Take Water is hereby issued to:

Revolution Landfill Acquisition GP Inc. o/a Revolution Landfill LP
Suite 500 - 1100 Burloak Dr.
Burlington, Ontario L6L 6B2

*For the water
taking from:*

Well CW2, Well CW3, Well CW4, Well CW5, Well CW13, Well CW15, Well CW16,
Well L1, GW-PS, North Sump, Well M4, Well M5a, Well 5R, Perimeter Drain

Located at:

Lot 25-28, Concession 6, Geographic Township of Saltfleet
Hamilton

For the purposes of this Permit, and the terms and conditions specified below, the following definitions apply:

DEFINITIONS

- (a) "Director" means any person appointed in writing as a Director pursuant to section 5 of the OWRA for the purposes of section 34.1, OWRA.
- (b) "Provincial Officer" means any person designated in writing by the Minister as a Provincial Officer pursuant to section 5 of the OWRA.
- (c) "Ministry" means Ontario Ministry of the Environment and Climate Change.
- (d) "District Office" means the Hamilton District Office.
- (e) "Permit" means this Permit to Take Water No. 6543-9ZGNU5 including its Schedules, if any, issued in accordance with Section 34.1 of the OWRA.
- (f) "Permit Holder" means Revolution Landfill Acquisition GP Inc. operating as Revolution Landfill LP.

(g) "OWRA " means the *Ontario Water Resources Act*, R.S.O. 1990, c. O. 40, as amended.

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

TERMS AND CONDITIONS

1. Compliance with Permit

- 1.1 Except where modified by this Permit, the water taking shall be in accordance with the application for this Permit To Take Water, dated May 27, 2015 and signed by Brad Bodo, and all Schedules included in this Permit.
- 1.2 The Permit Holder shall ensure that any person authorized by the Permit Holder to take water under this Permit is provided with a copy of this Permit and shall take all reasonable measures to ensure that any such person complies with the conditions of this Permit.
- 1.3 Any person authorized by the Permit Holder to take water under this Permit shall comply with the conditions of this Permit.
- 1.4 This Permit is not transferable to another person.
- 1.5 This Permit provides the Permit Holder with permission to take water in accordance with the conditions of this Permit, up to the date of the expiry of this Permit. This Permit does not constitute a legal right, vested or otherwise, to a water allocation, and the issuance of this Permit does not guarantee that, upon its expiry, it will be renewed.
- 1.6 The Permit Holder shall keep this Permit available at all times at or near the site of the taking, and shall produce this Permit immediately for inspection by a Provincial Officer upon his or her request.
- 1.7 The Permit Holder shall report any changes of address to the Director within thirty days of any such change. The Permit Holder shall report any change of ownership of the property for which this Permit is issued within thirty days of any such change. A change in ownership in the property shall cause this Permit to be cancelled.

2. General Conditions and Interpretation

- 2.1 Inspections
The Permit Holder must forthwith, upon presentation of credentials, permit a Provincial Officer to carry out any and all inspections authorized by the OWRA, the *Environmental Protection Act*, R.S.O. 1990, the *Pesticides Act*, R.S.O. 1990, or the *Safe Drinking Water Act*, S. O. 2002.
- 2.2 Other Approvals
The issuance of, and compliance with this Permit, does not:

- (a) relieve the Permit Holder or any other person from any obligation to comply with any other applicable legal requirements, including the provisions of the *Ontario Water Resources Act* , and the *Environmental Protection Act* , and any regulations made thereunder; or
- (b) limit in any way any authority of the Ministry, a Director, or a Provincial Officer, including the authority to require certain steps be taken or to require the Permit Holder to furnish any further information related to this Permit.

2.3 Information

The receipt of any information by the Ministry, the failure of the Ministry to take any action or require any person to take any action in relation to the information, or the failure of a Provincial Officer to prosecute any person 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 this Permit or other legal requirement; or
- (b) acceptance by the Ministry of the information's completeness or accuracy.

2.4 Rights of Action

The issuance of, and compliance with this Permit shall not be construed as precluding or limiting any legal claims or rights of action that any person, including the Crown in right of Ontario or any agency thereof, has or may have against the Permit Holder, its officers, employees, agents, and contractors.

2.5 Severability

The requirements of this Permit are severable. If any requirements of this Permit, or the application of any requirements of this Permit to any circumstance, is held invalid or unenforceable, the application of such requirements to other circumstances and the remainder of this Permit shall not be affected thereby.

2.6 Conflicts

Where there is a conflict between a provision of any submitted document referred to in this Permit, including its Schedules, and the conditions of this Permit, the conditions in this Permit shall take precedence.

3. **Water Takings Authorized by This Permit**

3.1 **Expiry**

This Permit expires on **August 31, 2025**. No water shall be taken under authority of this Permit after the expiry date.

3.2 Amounts of Taking Permitted

The Permit Holder shall only take water from the source, during the periods and at the rates and amounts of taking specified in Table A. Water takings are authorized only for the purposes

specified in Table A.

Table 1

Well Name / Description	Well Type	Task / Purpose	Task Category	Maximum Flow Rate (L/min)	Maximum Flow Rate (L/day)	Maximum Flow Rate (litres/day)	Maximum Flow Rate (L/year)	Estimated Installation Cost
Well CW2	Well Drilled	Operational - Remediation	Remediation	240	24	34,000	3	1,000,443
Well CW3	Well Drilled	Operational - Remediation	Remediation	240	24	34,000	3	1,000,443
Well CW4	Well Drilled	Operational - Remediation	Remediation	240	24	34,000	3	1,000,443
Well CW5	Well Drilled	Operational - Remediation	Remediation	240	24	34,000	3	1,000,443
Well CW13	Well Drilled	Operational - Remediation	Remediation	240	24	34,000	3	1,000,443
Well CW15	Well Drilled	Operational - Remediation	Remediation	240	24	34,000	3	1,000,443
Well CW16	Well Drilled	Operational - Remediation	Remediation	240	24	34,000	3	1,000,443
Well L1	Well Drilled	Operational - Remediation	Remediation	240	24	34,000	3	1,000,443
GW-PS	Well Drilled	Operational - Remediation	Remediation	400	24	100,000	3	1,000,443
North Sump	Well Drilled	Operational - Remediation	Remediation	300	24	100,000	3	1,000,443
Well M4	Well Drilled	Operational - Remediation	Remediation	200	24	300,000	3	1,000,443
Well M5a	Well Drilled	Operational - Remediation	Remediation	200	24	200,000	3	1,000,443
Well MR	Well Drilled	Operational - Remediation	Remediation	200	24	200,000	3	1,000,443
Perimeter Drain	Well Drilled	Operational - Remediation	Remediation	20	24	103,000	3	1,000,443
Total Flow Rate						1,030,000		4,334,000

3.3 Under this Permit, the maximum combined rate and maximum combined total daily amount for the Containment Well System (CW2, CW3, CW4, CW5, CW13, CW15 & CW16) and the Lower Flow Zone Pumping System (L1) is 240 LPM and 345,600 LPD.

3.4 Under this Permit, the maximum combined rate and maximum combined total daily

amount for the M5 Shatter Trench System (M5a and M5R) is 200 LPM and 288,000 LPD.

4. Monitoring

4.1 Under section 9 of O. Reg. 387/04, and as authorized by subsection 34(6) of the *Ontario Water Resources Act*, the Permit Holder shall, on each day water is taken under the authorization of this Permit, record the date, the volume of water taken on that date and the rate at which it was taken. The daily volume of water taken shall be measured by a flow meter or calculated in accordance with the method described in the application for this Permit, or as otherwise accepted by the Director. A separate record shall be maintained for each source. The Permit Holder shall keep all records required by this condition current and available at or near the site of the taking and shall produce the records immediately for inspection by a Provincial Officer upon his or her request. A separate record shall be maintained for each source. The Permit Holder, unless otherwise required by the Director, shall submit, on or before March 31st in every year, the records required by this condition to the ministry's Water Taking Reporting System.

4.2 M5 Shatter Trench Monitoring:

4.2.1 The Permit Holder shall conduct the following monitoring program for the M5 Shatter Trench System (M5a and M5R):

Monitor	Water Level Monitoring (Frequency)	Sampling Frequency
P1-I	Monthly	Quarterly
P15	Monthly	Quarterly
P16	Monthly	Quarterly
59-II	Monthly	Quarterly
59-III	Monthly	Quarterly
62-I	Monthly	Quarterly
62-II	Monthly	Quarterly
62-III	Monthly	Quarterly
62-IV	Monthly	Quarterly
75-I	Monthly	Quarterly
75-II	Monthly	Quarterly
75-III	Monthly	Quarterly
75-IV	Monthly	Quarterly
67-I	Monthly	Quarterly
67-II	Monthly	Quarterly
67-III	Monthly	Quarterly

ST 1	Monthly	Quarterly
ST 2	Monthly	Quarterly
ST 1-I	Monthly	
ST 2-I	Monthly	
ST 1-II	Monthly	
ST 2-II	Monthly	
M5	Monthly	
M5R	Weekly	Quarterly
M5a	Weekly	Quarterly

4.2.2 Continuous monitoring and recording of pumping rates and amounts from M5R and M5a, when pumping, is required.

4.2.3 Samples shall be analyzed for: pH, Conductivity, Alkalinity, Hardness, TDS, Phenols, TKN, NH3-N, Ca, K, Mg, Na, Cl, F, Br, NO2-N, NO3-N, PO4, SO4, Al, Ba, B, Cd, Cr, Co, Cu, Pb, Fe, Mn, Mo, Ni, Si, Sr, Ti, V, Zn, DOC in addition to appropriate field measurements.

4.3 M4 Pumping Well:

4.3.1 The Permit Holder shall conduct the following monitoring program for the M4 pumping Well:

Monitor	Water Level Monitoring (Frequency)	Sampling Frequency
M4	Monthly	Quarterly
47-I	Quarterly	Quarterly
60-I	Quarterly	Quarterly
61-I	Quarterly	Quarterly
55-I	Monthly	
Banovac Residential, Former Prendergast Well		Quarterly (upon permission of the owner)

4.3.2 Continuous monitoring and recording of pumping rates and amounts from M4 is required.

4.3.3 Samples shall be analyzed for: pH, Conductivity, Alkalinity, Hardness, TDS, Phenols, TKN, NH3-N, Ca, K, Mg, Na, Cl, F, Br, NO2-N, NO3-N, PO4, SO4, Al, Ba, B, Cd, Cr, Co, Cu, Pb, Fe, Mn, Mo, Ni, Si, Sr, Ti, V, Zn, DOC in addition to appropriate field measurements.

4.4 Containment Well Pumping/ Lower Flow Zone Pumping System:

4.4.1 The Permit Holder shall conduct the monitoring program for the Containment Well Pumping System (including CW2, CW3, CW4, CW5, CW10, CW11, CW13, CW15) and the Lower Flow Zone Pumping System (L1):

Monitor	Water Level Monitoring Frequency
34-II, 34-III, 46-I, 46-II, 56-I, 56-II, P1-II, P1-III, P3-III, P4-II, P4-III, P5-II, P5-III, P6-I, P10-III, P11-III, P12, P13, P14, P17	Quarterly
CW2, CW3, CW4, CW5, CW11, CW13, CW15, CW16, L1	Monthly

4.4.2 Continuous monitoring and recording of pumping discharge from the Containment Well Pumping System (including CW2, CW3, CW4, CW5, CW11, CW13, CW15, CW16) and the Lower Flow Zone Pumping System (L1), when pumping, is required.

4.5 Perimeter Drainage System (East Quarry):

4.5.1 Continuous monitoring and recording of the discharge from the Perimeter Drainage System is required.

4.6 Groundwater Pumping Station (GW-PS) and North Sump:

Continuous monitoring and recording of the pumping rates and amounts from the Groundwater Pumping Station (GW-PS) and North Sump is required. A separate record shall be kept for each source.

4.7 Monitoring shall be conducted as outlined in Conditions 4.2, 4.3, 4.4, 4.5 and 4.6 above until otherwise indicated in writing by the Director.

4.8 The Permit Holder shall submit to the Director, an annual monitoring report which presents and interprets the monitoring data as required under Conditions 4.2, 4.3, 4.4, 4.5 and 4.6 above. The report shall be submitted to the Director by June 30 of each year and include the monitoring data for the 12 month period ending December 31 of the previous year. This report shall be prepared by a licensed Professional Geoscientist, or a licensed Professional Engineer specializing in Hydrogeology. This report shall be incorporated into the Annual Monitoring Reports as specified by the site's Certificate of Approval No. 130404 and No. 181008 within a specific section relating to the monitoring requirements outlined within this permit including, but not limited to, a detailed discussion of the effects of this taking on the groundwater resources in the area and recommendations for future monitoring.

5. Impacts of the Water Taking

5.1 Notification

The Permit Holder shall immediately notify the local District Office of any complaint arising from the taking of water authorized under this Permit and shall report any action which has been taken or is proposed with regard to such complaint. The Permit Holder shall immediately notify the local District Office if the taking of water is observed to have any significant impact on the surrounding waters. After hours, calls shall be directed to the Ministry's Spills Action Centre at 1-800-268-6060.

5.2 For Groundwater Takings

If the taking of water is observed to cause any negative impact to other water supplies obtained from any adequate sources that were in use prior to initial issuance of a Permit for this water taking, the Permit Holder shall take such action necessary to make available to those affected, a supply of water equivalent in quantity and quality to their normal takings, or shall compensate such persons for their reasonable costs of so doing, or shall reduce the rate and amount of taking to prevent or alleviate the observed negative impact. Pending permanent restoration of the affected supplies, the Permit Holder shall provide, to those affected, temporary water supplies adequate to meet their normal requirements, or shall compensate such persons for their reasonable costs of doing so.

If permanent interference is caused by the water taking, the Permit Holder shall restore the water supplies of those permanently affected.

6. Director May Amend Permit

The Director may amend this Permit by letter requiring the Permit Holder to suspend or reduce the taking to an amount or threshold specified by the Director in the letter. The suspension or reduction in taking shall be effective immediately and may be revoked at any time upon notification by the Director. This condition does not affect your right to appeal the suspension or reduction in taking to the Environmental Review Tribunal under the *Ontario Water Resources Act* , Section 100 (4).

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

1. Condition 1 is included to ensure that the conditions in this Permit are complied with and can be enforced.
2. Condition 2 is included to clarify the legal interpretation of aspects of this Permit.
3. Conditions 3 through 6 are included to protect the quality of the natural environment so as to safeguard the ecosystem and human health and foster efficient use and conservation of waters. These conditions allow for the beneficial use of waters while ensuring the fair sharing, conservation and sustainable use of the waters of Ontario. The conditions also specify the water takings that are authorized by this Permit and the scope of this Permit.

In accordance with Section 100 of the Ontario Water Resources Act, R.S.O. 1990, you may by written notice served upon me, the Environmental Review Tribunal and the Environmental Commissioner, **Environmental Bill of Rights**, R.S.O. 1993, Chapter 28, 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 101 of the Ontario Water Resources Act, as amended provides that the Notice requiring a hearing shall state:

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

In addition to these legal requirements, the Notice should also include:

3. The name of the appellant;
4. The address of the appellant;
5. The Permit to Take Water number;
6. The date of the Permit to Take Water;
7. The name of the Director;
8. The municipality within which the works are located;

This notice must be served upon:

The Secretary
Environmental Review Tribunal
655 Bay Street, 15th Floor
Toronto ON
M5G 1E5
Fax: (416) 314-4506
Email:
ERTTribunalsecretary@ontario.ca

AND

The Environmental Commissioner
1075 Bay Street
6th Floor, Suite 605
Toronto, Ontario M5S 2W5

AND

The Director, Section 34.1,
Ministry of the Environment and
Climate Change
12th Floor
119 King St W
Hamilton ON L8P 4Y7
Fax: (905) 521-7820

Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal:

by telephone at (416) 314-4600

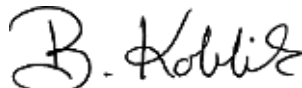
by fax at (416) 314-4506

by e-mail at 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 to appeal for 15 days from the date this decision is placed on the Environmental Registry. By accessing the Environmental Registry, you can determine when the leave to appeal period ends.*

This Permit cancels and replaces Permit Number 5161-88QLS6, issued on 2010/09/07.

Dated at Hamilton this 21st day of August, 2015.



Belinda Koblik
Director, Section 34.1
Ontario Water Resources Act , R.S.O. 1990

Schedule A

This Schedule "A" forms part of Permit To Take Water 6543-9ZGNU5, dated August 21, 2015.

The Environmental Review Tribunal (ERT) has recently changed its phone and fax phone numbers, and as such you will need to use the following should you wish to contact the ERT:

New Public Inquiry Telephone Number:

Tel. (416) 212-6349

Toll Free 1(866) 448-2248

New Fax Number:

Fax: (416) 326-5370

Toll Free: 1(844) 213-3474

**CERTIFICATE OF APPROVAL
INDUSTRIAL SEWAGE WORKS**NUMBER 5400-7DSSHU
Issue Date: May 1, 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 have applied in accordance with Section 53 of the Ontario Water Resources Act for approval of:

stormwater management facility and leachate collection and disposal facility to service Newalta Stoney Creek Landfill (formerly known as Taro East Landfill) located in the City of Hamilton, consisting of the following:

STORMWATER MANAGEMENT FACILITY

constructing a stormwater management facility to service a total of 34 ha drainage area of Phase I of Newalta Stoney Creek Landfill designed to provide quantity and quality control of stormwater runoff from storm events with up to 1:100 year return frequency, consisting of the following:

Stormwater Management Pond (SWM Pond)

A stormwater management facility to service 34.0 ha drainage area of Phase 1 of the landfill consisting of the south and west portions of the total 74.0 ha landfill property consisting of the following:

- one (1) approximately 1,400 m long perimeter ditch running along the south and west side of the landfill site having a minimum depth of 1.0 m, bottom width of 1.0 m and side slopes of 3H:1V, designed to handle stormwater runoff from 1:100 year return frequency storm events, discharging through a 1,050 mm diameter HDPE culvert to a forebay described below;
- one (1) forebay with a 600 mm bottom clay line and a depth of 1.5 m connected through a

900 mm diameter HDPE pipe to a wet detention pond described below;

- one (1) 2.0 m deep extended wet detention pond (SWM Pond) with 600 mm bottom clay liner, providing 2,072 m³ of permanent storage capacity (including forebay) and 4,789 m³ of extended detention storage capacity (including forebay), equipped with an outlet structure consisting of one (1) 1200 x 1200 mm precast concrete catchbasin inlet, a reverse slope 300 mm diameter pipe with a 125 mm orifice plate, a gate valve (**normally open**), a 750 mm diameter HDPE discharge pipe, discharging through a 760 mm diameter CSP and side road ditches to Davis Creek;
- one (1) emergency overflow structure consisting of 15.0 m wide, 200 mm deep overflow weir constructed with granular stone infill and geotextile, discharging to leachate collection pond described below;
- including all controls and associated appurtenances.

LEACHATE IMPACTED GROUNDWATER AND STORMWATER COLLECTION SYSTEM

Leachate Collection Pond

- one (1) approximately 1,600 m long 150 to 200 mm diameter forcemain equipped with a 18.9 L/sec capacity pumping station conveying leachate impacted groundwater and stormwater runoff from the southeast corner of the landfill site to a leachate collection pond described below;
- one (1) approximately 130 m long 450 mm diameter sewer receiving leachate impacted stormwater runoff from the active parts of the landfill site and truck wash pad, discharging to a leachate collection pond described below;
- one (1) 2.0 m deep leachate collection pond, providing a total of 4,600 m³ storage capacity, equipped with a 18.0 L/sec capacity pump to dispose off collected leachate impacted stormwater runoff and groundwater to a leachate equalization lagoon described below;

Leachate Equalization Lagoon

- one (1) approximately 7,000 m³ storage capacity leachate equalization lagoon located north of the closed Taro West Landfill Site, discharging through a gravity sewer described below;
- one (1) approximately 460 m long 250 mm diameter gravity sewer, equipped with a gate valve and a flow meter, extending from the leachate equalization lagoon described above to a manhole at Mistywood Drive, City of Hamilton, discharging to the City of Hamilton sanitary sewage collection system for treatment at the Woodward Avenue STP; and
- including all controls and associated appurtenances.

all in accordance with the Application for Approval of Industrial Sewage Works submitted by Newalta Industrial Services Inc. dated July 9, 2007, all supporting design specifications and drawings prepared by Gartner Lee Limited, Markham, Ontario, and the following documents:

1. "Stormwater Management Design Report, Phase 1, Newalta Stoney Creek Landfill" dated June 2007, prepared by Gartner Lee Limited, Markham, Ontario.
2. "Newalta Industrial Services Inc., Stoney Creek Operating Landfill, 2006 Annual Report" (CD report) dated June 30, 2007, prepared by Jackman Geosciences Inc.
3. "Taro East Quarry Environmental Assessment - Design and Operations Report" dated January 1995, prepared by Garner Lee Limited.
4. Letter from Gartner Lee Limited dated March 24, 2008 providing response to an additional information request letter from Environmental Assessment and Approvals Branch, MOE dated February 14, 2008.

For the purpose of this Certificate of Approval and the terms and conditions specified below, the following definitions apply:

"Act " means the Ontario Water Resources Act, R.S.O. 1990, Chapter 0.40, as amended;

"CBOD5 " means five day carbonaceous (nitrification inhibited) biochemical oxygen demand measured in an unfiltered sample;

"Certificate " means this entire certificate of approval document, issued in accordance with Section 53 of the Act , and includes any schedules;

"Director " means any *Ministry* employee appointed by the Minister pursuant to section 5 of the Act ;

"District Manager " means the District Manager of the Hamilton District Office of the Ministry;

"Ministry " means the Ontario Ministry of the Environment;

"Owner " means Newalta Industrial Services Inc. and includes its successors and assignees;

"Substantial Completion" has the same meaning as "substantial performance " in the Construction Lien Act; and

"Works " means the sewage works described in the Owner 's application, this Certificate and in the supporting documentation referred to herein, to the extent approved by this Certificate .

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

TERMS AND CONDITIONS

1. GENERAL PROVISIONS

- (1) The *Owner* shall ensure that any person authorized to carry out work on or operate any aspect of the *Works* is notified of this *Certificate* and the conditions herein and shall take all reasonable measures to ensure any such person complies with the same.
- (2) Except as otherwise provided by these Conditions, the *Owner* shall design, build, install, operate and maintain the *Works* in accordance with the description given in this *Certificate*, the application for approval of the works and the submitted supporting documents and plans and specifications as listed in this *Certificate*.
- (3) Where there is a conflict between a provision of any submitted document referred to in this *Certificate* and the Conditions of this *Certificate*, the Conditions in this *Certificate* shall take precedence, and where there is a conflict between the listed submitted documents, the document bearing the most recent date shall prevail.
- (4) Where there is a conflict between the listed submitted documents, and the application, the application shall take precedence unless it is clear that the purpose of the document was to amend the application.
- (5) The requirements of this *Certificate* are severable. If any requirement of this *Certificate*, or the application of any requirement of this *Certificate* to any circumstance, is held invalid or unenforceable, the application of such requirement to other circumstances and the remainder of this certificate shall not be affected thereby.

2. EXPIRY OF APPROVAL

The approval issued by this *Certificate* will cease to apply to those parts of the *Works* which have not been constructed within five (5) years of the date of this *Certificate*.

3. CHANGE OF OWNER

- (1) The *Owner* shall notify the *District Manager* and the *Director*, in writing, of any of the following changes within 30 days of the change occurring:
 - (a) change of *Owner* ;
 - (b) change of address of the *Owner* ;
 - (c) change of partners where the *Owner* 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.B17 shall be included in the notification to the *District Manager* ;
 - (d) change of name of the corporation where the *Owner* is or at any time becomes a corporation, and a copy of the most current information filed under the Corporations Information Act, R.S.O. 1990, c. C39 shall be included in the notification to the *District Manager* ;

- (2) In the event of any change in ownership of the *Works* , other than a change to a successor municipality, the *Owner* shall notify in writing the succeeding owner of the existence of this *Certificate* , and a copy of such notice shall be forwarded to the *District Manager* and the *Director* .

4. UPON THE SUBSTANTIAL COMPLETION OF THE WORKS

- (1) Within one (1) year of the *Substantial Completion* of the *Works* , a set of as-built drawings showing the works “as constructed” shall be prepared. These drawings shall be kept up to date through revisions undertaken from time to time and a copy shall be retained at the *Works* for the operational life of the *Works* .

5. MONITORING AND RECORDING

- (1) The *Owner* shall, upon commencement of operation of the **Works (SWM Pond)**, carry out the following monitoring program. Grab samples shall be collected from the designated sampling locations **at a quarterly frequency** and analysed for the following parameters listed in Table 1:

Table 1 Stormwater Management Monitoring Sampling Locations: SWM Pond		
General Parameters	Metals	Field Parameters
Alkalinity	Arsenic	Conductivity
Hardness	Aluminum	Dissolved Oxygen
pH	Boron	pH
Chloride	Beryllium	Temperature
Sulphate	Cadmium	
Sodium	Chromium	
Calcium	Cobalt	
Potassium	Copper	
Magnesium	Iron	
Nitrate as Nitrogen	Lead	
Nitrite as Nitrogen	Manganese	
Total Ammonia	Mercury	
Un-ionized Ammonia	Molybdenum	
Total Suspended Solids (TSS)	Nickel	
Total Organic Carbon (TOC)	Silver	
Total Phosphorus	Selenium	
Total Kjeldahl Nitrogen (TKN)	Vanadium	
Biochemical Oxygen Demand (CBOD5)	Zinc	
Total Phenols (4AAP)		

- (2) The Owner shall collect grab samples of leachate from a designated sampling location at a

quarterly frequency and analyze for the parameters listed in Table 2:

Table 2 - LEACHATE MONITORING		
Sampling Location: Leachate Pumping Station		
Parameter	Parameter	Parameter
Conductivity	Arsenic	Volatile Organics
Alkalinity	Aluminum	Non-halogenated Volatiles
Hardness	Boron	Water Soluble Volatiles
pH	Beryllium	Base Neutral Extractables
Chloride	Cadmium	Acid Extractables
Sulphate	Chromium	Phenoxy Acid Herbicides
Sodium	Cobalt	Organochlorine Compounds
Calcium	Copper	Neutral Chlorinated Compounds
Potassium	Iron	Oil and Grease
Magnesium	Lead	Fatty and Resin Acids
Nitrate as Nitrogen	Manganese	PCBs
Nitrite as Nitrogen	Mercury	
Total Ammonia	Molybdenum	
Un-ionized Ammonia	Nickel	
Total Suspended Solids (TSS)	Silver	
Total Organic Carbon (TOC)	Selenium	
Total Phosphorus	Vanadium	
Total Kjeldahl Nitrogen (TKN)	Zinc	
Biochemical Oxygen Demand (CBOD5)		
Total Phenols (4AAP)		

- (3) The methods and protocols for sampling, analysis and recording shall conform, in order of precedence, to the methods and protocols specified in the following:
- (a) the Ministry's Procedure F-10-1, "Procedures for Sampling and Analysis Requirements for Municipal and Private Sewage Treatment Works (Liquid Waste Streams Only), as amended from time to time by more recently published editions;
 - (b) the Ministry's publication "Protocol for the Sampling and Analysis of Industrial/Municipal Wastewater" (January 1999), ISBN 0-7778-1880-9, as amended from time to time by more recently published editions;
 - (c) the publication "Standard Methods for the Examination of Water and Wastewater" (21st edition), as amended from time to time by more recently published editions;
- (4) The measurement frequencies and parameter list specified in subsection (1) are

minimum requirements which may, after 24 months of monitoring in accordance with this Condition, be modified by the *District Manager* in writing from time to time.

- (5) The *Owner* shall install and maintain a continuous flow measuring devices, to measure the flow rate of leachate from the *Works (Leachate Pumping Station)* with an accuracy to within plus or minus 15 per cent (+/- 15%) of the actual flow rate for the entire design range of the flow measuring device, and record the flow rate at a daily frequency.
- (6) The *Owner* shall retain for a minimum of three (3) years from the date of their creation, all records and information related to or resulting from the monitoring activities required by this *Certificate* .

6. OPERATION AND MAINTENANCE

- (1) Before the commencement of operation of the **Works (SWM Pond)**, the *Owner* shall prepare a "Stormwater Contingency and Remedial Action Plan" for the *Works (SWM Pond)* and provide a copy to the *District Manager* ;
- (2) The *Owner* shall operate the *Works (SWM Pond)* in a **normally open position**. The *Owner* shall compare monitoring results obtained from the **SWM Pond** under Condition 5 (1) with the trigger levels of the trigger parameters listed in Table 3 to identify any potential leachate impact to stormwater discharged from the site to the receiving surface water.

Table 3 - Trigger Parameters		
Parameter	Unit	Trigger Levels
pH	-	6.5 - 8.5
Conductivity	uS	700
Ammonia (un-ionized)	mg/L	0.04
Phenols	mg/L	0.002
Total Phosphorus	mg/L	0.03

- (3) In the event that a monitoring result for any of the parameters listed in Table 3 exceeds its corresponding trigger level, the *Owner* shall immediately re-sample to confirm the exceedence for that parameter.
- (4) In the event that the presence of the parameter(s) of concern is (are) not confirmed after the second round of sampling conducted under Condition 6 (3), then, normal stormwater monitoring shall be resumed;
- (5) In the event that the presence of any parameter of concern is confirmed after the second round of sampling conducted under Condition 6 (3), the *Owner* shall operate the *Works (SWM Pond)* in a **normally closed position** and dispose the contents of the **SWM Pond** to the leachate collection system while recording the date and volume of contaminated stormwater being disposed of to the leachate collection system;

- (6) The *Owner* shall implement the "Stormwater Contingency and Remedial Action Plan" prepared under Condition 6 (1) and collect a grab sample and analyze for the trigger parameters listed under Condition 6 (2) at a **monthly frequency** preferably after a storm event;
- (7) The *Owner* shall resume operating the *Works* (**SWM Pond**) in a **normally open position** if monitoring results for all trigger parameters from three (3) consecutive sampling events conducted under Condition 6 (6) are less than their respective trigger levels.
- (8) Discharge of contaminated stormwater from the *Works* to storm sewer/surface water is prohibited, except where it is necessary to avoid loss of life, personal injury, danger to public health or severe property damage;
- (9) The *Owner* shall prepare an operations manual within six (6) months of *Substantial Completion* of the *Works* , that includes, but not necessarily limited to, the following information:
 - (a) operating procedures for routine operation of the *Works* ;
 - (b) inspection programs, including frequency of inspection, for the *Works* and the methods or tests employed to detect when maintenance is necessary;
 - (c) repair and maintenance programs, including the frequency of repair and maintenance for the *Works* ;
 - (d) procedures for the inspection and calibration of monitoring equipment;
 - (e) procedures for receiving, responding and recording public complaints, including recording any follow up actions taken.
- (10) The *Owner* shall maintain the operations manual current and retain a copy at the location of the *Works* or operational office of the *Owner* for the operational life of the *Works* . Upon request, the *Owner* shall make the manual available to *Ministry* staff.
- (11) The *Owner* shall inspect the *Works* at least once a year and, if necessary, clean and maintain the *Works* to prevent the excessive build-up of sediments and/or vegetation.
- (12) The *Owner* shall maintain a logbook to record the results of these inspections and any cleaning and maintenance operations undertaken, and shall keep the logbook at the site operations office for inspection by the *Ministry* . The logbook shall include the following:
 - (a) the name of the *Works* ; and
 - (b) the date and results of each inspection, maintenance and cleaning, including an estimate of the quantity of any materials removed.

7. REPORTING

- (1) In addition to the obligations under Part X of the Environmental Protection Act, the *Owner* shall, within 10 working days of the occurrence of any reportable spill as defined in Ontario Regulation 675/98, bypass or loss of any product, by-product, intermediate product, oil, solvent, waste material or any other polluting substance into the environment, submit a full written report of the occurrence to the *District Manager* describing the cause and discovery of the spill or loss, clean-up and recovery measures taken, preventative measures to be taken and schedule of implementation.
- (2) The *Owner* shall, upon request, make all manuals, plans, records, data, procedures and supporting documentation available to *Ministry* staff.
- (3) The *Owner* shall prepare, and submit to the *District Manager* upon request, a performance report, on an annual basis, before June 30th following the end of the period being reported upon. The first such report shall cover the first annual period following the commencement of operation of the *Works* and subsequent reports shall be submitted to cover successive annual periods following thereafter. The reports shall contain, but shall not be limited to, the following information:
 - (a) a description of any operating problems encountered and corrective actions taken;
 - (b) a summary of all maintenance carried out on any major structure, equipment, apparatus, mechanism or thing forming part of the *Works* ;
 - (c) a summary of all stormwater and leachate monitoring results undertaken in the reporting period;
 - (d) a summary of the calibration and maintenance carried out on all monitoring equipment; and
 - (e) a summary of all *By-pass* , spill or abnormal discharge events.

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

1. Condition 1 is imposed to ensure that the *Works* are built and operated in the manner in which they were described for review and upon which approval was granted. This condition is also included to emphasize the precedence of Conditions in the *Certificate* and the practice that the Approval is based on the most current document, if several conflicting documents are submitted for review. The condition also advises the Owners their responsibility to notify any person they authorized to carry out work pursuant to this *Certificate* the existence of this *Certificate* .
2. Condition 2 is included to ensure that the *Works* are constructed in a timely manner so that

standards applicable at the time of Approval of the *Works* are still applicable at the time of construction, to ensure the ongoing protection of the environment.

3. Condition 3 is included to ensure that the *Ministry* records are kept accurate and current with respect to the approved works and to ensure that subsequent owners of the *Works* are made aware of the *Certificate* and continue to operate the *Works* in compliance with it.
4. Condition 4 is included to ensure that the *Works* are constructed in accordance with the approval and that record drawings of the *Works* "as constructed" are maintained for future references.
5. Condition 5 is included to enable the *Owner* to evaluate and demonstrate the performance of the *Works*, on a continual basis, so that the *Works* are properly operated and maintained at a level which is consistent with the design objectives and effluent limits specified in the *Certificate* and that the *Works* does not cause any impairment to the receiving watercourse.
6. Condition 6 is included to require that the *Works* be properly operated, maintained, funded, staffed and equipped such that the environment is protected and deterioration, loss, damage to property or injury to any person is prevented. As well, the inclusion of a comprehensive operations manual governing all significant areas of operation, maintenance and repair is prepared, implemented and kept up-to-date by the owner and made available to the *Ministry*. Such a manual is an integral part of the operation of the *Works*. The manual will also act as a benchmark for *Ministry* staff when reviewing the *Owner's* operation of the work.
7. Condition 7 is included to provide a performance record for future references, to ensure that the *Ministry* is made aware of problems as they arise, and to provide a compliance record for all the terms and conditions outlined in this *Certificate*, so that the *Ministry* can work with the *Owner* in resolving any problems in a timely manner.

In accordance with Section 100 of the Ontario Water Resources Act, R.S.O. 1990, Chapter 0.40, 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 101 of the Ontario Water Resources Act, R.S.O. 1990, Chapter 0.40, provides that the Notice requiring the hearing shall state:

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

The Notice should also include:

3. The name of the appellant;
4. The address of the appellant;
5. The Certificate of Approval number;
6. The date of the Certificate of Approval;
7. The name of the Director;
8. The municipality within which the works are located;

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

This Notice must be served upon:

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

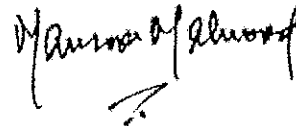
AND

The Director
Section 53, *Ontario Water Resources 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 sewage works are approved under Section 53 of the Ontario Water Resources Act.

DATED AT TORONTO this 1st day of May, 2008



Mansoor Mahmood, P.Eng.
Director
Section 53, *Ontario Water Resources Act*

SH/

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