


 AMENDED PROVISIONAL CERTIFICATE OF APPROVAL
 WASTE DISPOSAL SITE
 NUMBER 3166-6TYMDZ
 Issue Date: October 24, 2011

Plasco Trail Road Inc.
 1000 Innovation Dr, No. Suite 400
 Kanata, Ontario
 K2K 3E7

Site Location: Closed Nepean Landfill Site
 Rideau Front
 Lot Part of Lot 9, Concession 4
 Ottawa City,

You have applied in accordance with Section 27 of the Environmental Protection Act for approval of:

the establishment, use and operation of a Waste Disposal Site (Energy-From-Waste Facility)

to be used for the:

receipt, storage, processing and plasma gasification of Municipal Waste

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

1. For the purpose of this Provisional Certificate of Approval and the terms and conditions specified below, the following definitions apply:
 - a. "Certificate" means this entire Provisional Certificate of Approval document, issued in accordance with section 39 of the EPA, and includes any schedules to it, the applications and the supporting documentation listed in Schedule "A";
 - b. "Certificate of Approval (Air)" means the corresponding Certificate of Approval (Air) Number 4315-8JVP3K issued to Plasco Trail Road Inc., under Section 9 of the EPA, as amended from time to time;
 - c. "Nepean Landfill Site (Closed)" means the site formerly used as a landfill site and commonly known as the Nepean Landfill that is located on Part Lot 9, Concession 4 Rideau Front in the former Township of Nepean as approved by Provisional Certificate of Approval Number A461301 issued under Part V of the EPA;
 - d. "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;
 - e. "District Manager" means the District Manager of the local district office of the Ministry in which the Site is geographically located;
 - f. "Domestic Waste" means waste that is municipal waste but is limited to waste that has characteristics similar to that collected at curb side from households but from which Incidental Subject Waste has been removed;
 - g. "EPA" means Environmental Protection Act, R.S.O. 1990, c. E. 19, as amended;
 - h. "Hazardous Waste" means hazardous waste as defined in O.Reg 347;
 - i. "Incidental Subject Waste" means hazardous waste and liquid industrial waste that is received at the Site commingled

CONTENT COPY OF ORIGINAL

with domestic waste, and which is separated from the waste stream so that it is not subjected to thermal treatment;

j. "IC&I Waste" means non-hazardous municipal waste from industrial, commercial and institutional sources but from which Incidental Subject Waste has been removed;

k. "Liquid Industrial Waste" means liquid industrial waste as defined in O.Reg 347;

l. "Ministry" means Ontario Ministry of the Environment;

m "Municipal Waste" means municipal waste as defined in O.Reg 347;

n. "Operator " means any person, other than the Owner's employees, authorized by the Owner as having the charge, management or control of any aspect of the site;

o. "Owner" means any person that is responsible for the establishment or operation of the site being approved by this Certificate, and includes Plasco Trail Road Inc., its successors and assigns;

p. "OWRA" means the Ontario Water Resources Act, R.S.O. 1990, c. O-40, as amended from time to time;

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

r. "Professional Engineer" means Professional Engineer as defined within the Professional Engineers Act, R.S.O. 1990, c. P-28, as amended from time to time;

s. "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;

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

u. "Residual Waste" means waste remaining after processing at the Site, including Incidental Subject Waste, that is destined for final disposal or further processing at another approved waste disposal facility;

v. "Site" means the Energy-From-Waste Facility approved under this Certificate and located on the 3 acre parcel of the Nepean Landfill Site (Closed) that is described as Part of Lot 9, Concession 4 Rideau Front, as in Instrument CR526253, Except Part 1, Plan 5R14685 and Road as Widened Subject to Instrument Number CR383044, formerly City of Nepean, now City of Ottawa;

x. "Start-up Date" means the date when Municipal Waste is first received at the Site.

y. "Trained Person" means a person knowledgeable in the following through instruction and practice:

- i. relevant waste management legislation, regulations and guidelines;
- ii. major environmental concerns pertaining to the waste to be handled;
- iii. occupational health and safety concerns pertaining to the processes and wastes to be handled;
- iv. management procedures including the use and operation of equipment for the processes and wastes to be handled;
- v. emergency response procedures;
- vi. specific written procedures for the control of nuisance conditions;
- vii. Specific written procedures for refusal of unacceptable waste loads;
- viii. the requirements of this Certificate; and
- ix. the requirements of the Certificate of Approval (Air).

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

TERMS AND CONDITIONS

GENERAL

Compliance

2. Any person authorized to carry out work on or operate any aspect of the Site shall be notified of this Certificate and the conditions herein and all reasonable measures shall be taken to ensure any such person complies with the same.
3. Any person authorized to carry out work on or operate any aspect of the Site shall comply with the conditions of this Certificate.

Build, etc. in Accordance

4. Except as otherwise provided by this Certificate, the Site shall be designed, developed, built, operated and maintained in accordance with the application for this Certificate dated March 17, 2011 as amended by Item 2 of Schedule "A", the Design and Operating Manual as amended from time to time, and all other supporting documents listed in Schedule "A".

Interpretation

5. Where there is a conflict between a provision of any document, including an application, referred to in this Certificate, and the conditions of this Certificate, the conditions in this Certificate shall take precedence.
6. Where there is a conflict between an 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 this Certificate includes that change.
7. Where there is a conflict between any two documents listed in Schedule "A", other than an application, the document bearing the most recent date shall take precedence.
8. 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.
9. Unless otherwise specified, the obligations set out in this Certificate are those of both the Owner and Operator.

Other Legal Obligations

10. The issuance of, and compliance with the conditions of, this Certificate does not:
 - a. relieve any person of any obligation to comply with any provision of any 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 require the Owner and Operator to furnish any further information related to compliance with this Certificate.

Adverse Effects

11. Steps shall be taken to minimize and ameliorate any adverse effect on the natural environment or impairment of water quality that results from their operations at the Site, including such accelerated or additional monitoring as may be necessary to determine the nature and extent of the effect or impairment.
12. Despite an Owner, Operator or any other person fulfilling any obligations imposed by this Certificate the Owner, Operator or any other person remains responsible for any contravention of any other condition of this Certificate or any applicable statute, regulation, or other legal requirement resulting from any act or omission that caused the adverse effect to the natural environment or impairment of water quality.

Change of Owner

13. The Owner shall notify the Director in writing, and forward a copy of the notification to the District Manager, within

thirty (30) days of the occurrence of any changes to:

- 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 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; or
- e. the name of the corporation where the Owner 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.

14. 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 sufficient financial assurance is deposited with the Ministry to ensure that these conditions will be carried out. In the event of any change in Ownership of the Site the Owner shall notify the successor and provide the successor with a copy of this Certificate, and the Owner shall provide a copy of the notification to the District Manager and the Director.

Financial Assurance

15. Within twenty (20) days of issuance of this notice the Owner shall submit to the Director, Financial Assurance, as defined in Section 131 of the EPA, Financial Assurance in the amount of \$449,636.26. This Financial Assurance shall be in a form acceptable to the Director and shall provide sufficient funds for the analysis, transportation, Site clean-up, monitoring and disposal of all quantities of waste on-Site at any one time.

16. a. Commencing March 31, 2014, and every 3 years thereafter, the Owner shall provide to the Director a written re-evaluation of the amount of the Financial Assurance required to carry out the matters specified in Condition 15. The re-evaluation shall be based on the Financial Assurance Guideline applicable at the time of any re-evaluation. The revised Financial Assurance amount must be submitted to the Director within ten (10) days of written acceptance of the re-evaluation by the Director.

b. Commencing on March 31, 2012, the Owner shall prepare and maintain at the Site an updated re-evaluation of the amount of financial assurance required to implement the actions required under Condition 15 for each of the intervening years in which a re-evaluation is not required to be submitted the Director under Condition 16a above. The re-evaluation shall be made available to the Ministry upon request.

17. 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.

Inspections

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

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

OWRA or the PA.

Information and Record Retention

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

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

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

CONSTRUCTION

21. The Owner shall ensure that the Site is constructed in accordance with the Equipment General Arrangement Drawing (Drawing Number 141-DL-0260) bearing the stamp of a Professional Engineer included in Item 1 of Schedule "A" on the Start-up Date.

OPERATION and MAINTENANCE

Operation

22. The Site shall be operated and maintained at all times including management and disposal of all waste in accordance with the EPA, Regulation 347 and the conditions of this Certificate. At no time shall the discharge of a contaminant that causes or is likely to cause an adverse effect be permitted.

Public Meetings

23. The Owner shall hold regular public information meetings to update the local community regarding the operation of the Site. The Owner shall provide the Director and District Manager with written notification and shall place notices in two local newspapers advising of the time, date and location of each public meeting at least fifteen (15) days prior to the date of each meeting. At a minimum the following public information meetings shall be held:

- a. an initial public information meeting shall be held no later than 2 months following the Start-up Date;
- b. a separate public information meeting shall be held no later than 2 months following the Start-up Date, to which the Owner shall invite the Algonquins of Pikwakanagan, the Métis Nation of Ontario and the Mohawks of Akwesasne, to address the continued operation of the Facility;
- c. a public information meeting shall be held not earlier than 3 months and not later than 6 months after the date of the initial public meeting described in Condition 23a above; and
- d. additional public information meetings shall be held no less frequently than once per year within 1 month of the anniversary of the Start-up Date.

Public Website

24. The Owner shall maintain a website that can be accessed by the general public containing electronic copies (with the exclusion of any confidential information) of:

- a. this Certificate and the Certificate of Approval (Air) including supporting documentation listed with the certificates;

- b. a telephone number to which complaints may be directed; and
- c. the Monthly Engineer's Reports and the Annual Report referred to in Conditions 46 and 61 of this Certificate, respectively.

Approved Waste Types and Service Area

25. a. The Owner may only accept the following categories of Municipal Waste at the Site:

- i. Domestic Waste originating within the City of Ottawa;
- ii. IC&I Waste originating within the City of Ottawa;
- iii. Plastics and other non-hazardous, non-putrescible materials originating within the City of Ottawa that have been rejected from recycling and composting facilities; and
- iv. Automotive shredded residuals as described in Item 1 of Schedule "A".

b. Notwithstanding Condition 25a above, solid non-hazardous materials generated on-site, limited to general site waste and partially converted Municipal Waste ash as described in Item 3 of Schedule "A", may form a part of the waste stream destined for thermal treatment.

c. At no time shall any Hazardous Waste or Liquid Industrial Waste be accepted at the Site, and at no time shall any process residuals that meet the definition of either Hazardous Waste or Liquid Industrial Waste be subjected to thermal treatment on-site. All Hazardous Waste and Liquid Industrial Waste on-site shall be managed and disposed of at an approved location in accordance with the EPA and Reg. 347.

Approved Limits

26. A maximum of 25 truckloads of waste may be received at the Site per day.

27. The Site is approved to utilize the waste described in Condition 25 above at a rate not to exceed 85 tonnes per day; and

28. The maximum amount of waste that may be present at the Site at any one time shall not exceed the following:

a. Incoming waste:

i. 595 tonnes of solid non-hazardous waste as described in Condition 25a above stored in the material handling building;

b. Solid Residual waste:

- i. 100 tonnes of slag waste stored in up to ten 10-tonne bins in the ash handling building;
- ii. 60 tonnes of non-hazardous converter ash stored in up to six 10-tonne bins in the MSW or ash handling buildings;
- iii. 15 tonnes of non-hazardous, non-processable waste stored in up to two 10-tonne bins stored in the MSW building;
- iv. 30 tonnes of hazardous baghouse waste stored in the MSW or ash handling buildings;
- v. 10 drums (0.17 cubic metre capacity each) or 2 wranglers (1 cubic metre capacity each) of Incidental Subject Waste stored in the MSW handling building;
- vi. 6 wranglers (1 cubic metre capacity each) of filter material stored in the MSW handling building;
- vii. 10 tonnes of spent activated carbon stored in the MSW handling building;

c. Liquid Residual waste:

- i. 2.7 cubic metres of Liquid Industrial Waste collected within the Northern Ash Sump TK 1257;

CONTENT COPY OF ORIGINAL

- ii. 5.4 cubic metres of Liquid Industrial Waste collected within the Southern Ash Sump;
- iii. 1.02 cubic metres of Liquid Industrial Waste collected within the Utility Sump;
- iv. 450 cubic metres of Liquid Industrial Waste collected within the above ground storage tank;
- v. 15 cubic metres of Liquid Industrial Waste collected within the below grade storage tank;
- vi. 0.78 cubic metres of Liquid Industrial Waste collected within the sewage sump pit;
- vii. 160 cubic metres of Liquid Residual Waste collected within the above ground storage tank; and
- viii. 280 cubic metres (4 x 70 cubic metres) of Liquid Residual Waste collected within the above ground storage tanks.

Hours of Operation

- 29. a. The Site may operate 24 hours per day, 365 days per year.
- b. Notwithstanding Condition 29a above, waste shall only be received at the Site during the following hours:
 - i. on Mondays, Tuesdays, Thursdays and Fridays between the hours of 7:00 a.m. and 6:00 p.m.;
 - ii. on Wednesdays from April 15 to December 15 between the hours of 7:00 a.m. and 9:00 p.m.;
 - iii. on Wednesdays from December 16 to April 14 between the hours of 7:00 a.m. and 6:00 p.m.; and
 - iv. on Saturdays between the hours of 8:00 a.m. and 4:00 p.m.
- c. Residual Waste may be removed from the Site 24 hours per day.

Site Security and Signage

- 30. The Site shall be operated and maintained in a secure manner, such that unauthorized persons cannot enter the Site.
- 31. A sign shall be posted and maintained at the main entrance/exit to the Site displaying in a manner that is clear and legible from the public roadway bordering the Site. The sign shall contain the following information:
 - a. the name of the Site, the Owner and the Operator;
 - b. the number of this Certificate;
 - c. the normal hours of operation;
 - d. the allowable waste types;
 - e. a telephone number to which complaints may be directed;
 - f. a twenty-four (24) hour emergency telephone number (if different from above);
 - g. a warning against dumping outside the Site; and
 - h. the website address referred to in Condition 24 of this Certificate.

Receiving

- 32. a. All waste arriving at the Site shall be inspected by a Trained Person prior to being received at the Site to ensure wastes are being managed and disposed of in accordance with this Certificate, the EPA and Reg. 347.
 - b. i. Prior to receiving any automotive shredded residuals as described in Item 1 of Schedule "A", the Owner shall require written confirmation, including laboratory testing results, from the generator of each automotive shredded residuals stream that the material has been tested and found to be non-hazardous.
 - ii. The Owner shall carry out confirmatory testing on each automotive shredded residual stream using a representative sample prior to subjecting that stream to thermal treatment at the Site for the first time. Any automotive shredded residual stream found to be hazardous shall not be subjected to thermal treatment at the Site, and no automotive shredded residuals

shall be received from that generator until further testing by the generator and confirmatory testing by the Owner shows the automotive shredded residual stream to be non-hazardous.

iii. No less than once every 6 months, the Owner shall perform confirmatory testing on each automotive shredded residual stream using a representative sample. Any stream found to be hazardous shall not be subjected to thermal treatment at the Site, all waste loads from that generator shall be rejected from the Site, and no further automotive shredded residuals shall be received from that generator until further testing by the generator and confirmatory testing by the Owner shows the automotive shredded residual stream to be non-hazardous.

33. In the event that a load of waste is rejected, a record shall be maintained identifying the reason the waste was refused, the type of waste that was refused and the generator and/or the origin of the waste, if known.

Labelling

34. The Owner shall ensure that all waste storage containers at the Site have a label or sign identifying the waste type and when applicable the waste class(es), the waste characteristic, WHMIS and TDGA classification of the contents contained within. The label or sign shall be clearly visible for inspection and record keeping.

Storage

35. All waste received at the Site shall be unloaded, processed and stored at the locations shown in the General Arrangement Drawing (Drawing Number 141-DL-0260) found in Item 1 of Schedule "A" of this Certificate.

36. The Owner shall ensure that all waste and process chemicals shall be stored in accordance with Ministry publication "Guidelines for Environmental Protection Measures at Chemical Storage Facilities", dated May 22007 or as amended. Wastes and process chemicals shall be segregated from other incompatible wastes and materials.

Processing

37. The waste management functions that shall be carried out at the Site as approved by this Certificate are limited to the operations as described in the Site's Design and Operating Manual contained within Item 1 of Schedule "A" and as modified by all subsequent Items of Schedule "A".

38. A Procedures Manual specific to the Site shall be prepared prior to the acceptance of any waste at the Site. The Procedures Manual shall contain detailed standard operating procedures relating to all aspects of the handling and processing of waste at the Site and shall be maintained current at all times and kept at the Site in central location that is accessible to Site personnel.

Odour

39. a. The Owner shall ensure that the doors of the material handling building shall be kept closed at all times and shall only be opened for entry or departure of vehicles.

b. In the event of a persistent odour issue at the Site that results in an off Site adverse impact the Owner shall implement additional odour control measures in accordance with the odour contingency plan described in Item 1 of Schedule "A" and/or as described in the Certificate of Approval (Air).

40. a. Domestic Waste received at the Site shall be utilized within ninety-six (96) hours.

b. Domestic Waste shall be removed from the loading/unloading area for disposal at an approved waste disposal site within ninety-six (96) hours during emergency situations, mechanical failure or process upsets.

41. The tipping floor shall be cleaned and washed/disinfected as necessary to prevent odours.

Disposal

42. a. All waste generated at the Site shall be disposed of in accordance with Reg. 347; and

b. Only approved haulers holding a Certificate of Approval shall be used to transport waste to and from the Site.

Landfill Gas Monitoring

43. The Owner shall ensure that access to the Site is provided for municipal staff carrying out landfill gas monitoring in accordance with the landfill gas monitoring plan for the Nepean Landfill Site (Closed) as it is amended from time to time.

Site Inspection

44. A Trained Person shall inspect the entire Site each day the Site is in operation to ensure that the Site is secure; that the operation of the Site is not the cause of any nuisances; that the operation of the Site is not the cause of any adverse effects on the environment; and that the Site is being operated in compliance with this Certificate to the best of the Trained Person's knowledge. Any deficiencies discovered as a result of the inspection shall be remedied immediately, including temporarily ceasing operations at the Site if needed. On each operating day, a visual inspection of the following areas shall be carried out:

- a. loading/unloading area(s);
- b. storage area(s);
- c. delivery system area(s);
- d. processing area(s); and
- e. security fence or barriers and property line.

45. A record of the inspections shall be kept in the daily log book that includes the following information:

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

Monthly Engineer's Reports

46. In addition to the Site inspections required by Condition 44 of this Certificate third party inspections of the Site shall be carried out by a Professional Engineer as follows:

- a. The Professional Engineer shall visit the Site on a monthly basis to observe and report on the operations of the Site to verify compliance with the requirements of the conditions of this Certificate and the Certificate of Approval (Air). The inspections shall include a detailed walkthrough of the entire Site and a thorough review of the daily Site inspection records required by Condition 44 and the daily log book records required by Condition 60.
- b. A report signed by the Professional Engineer shall be provided to the District Manager that summarizes the results of each inspection and certifies whether the Site has operated in substantial compliance with this Certificate since the previous report. This report must be submitted to the District Manager no later than five (5) business days following the end of each calendar month starting from the Start-up Date.
- c. The Professional Engineer shall immediately notify the Owner in writing in the event that a non-compliance situation is

observed during the course of the inspection. In the event that the Owner observes or is otherwise made aware of a non-compliance situation the Owner shall forthwith report the non-compliance to the District Manager in writing.

Other approvals

47. No waste shall be received at the Site and no Site processes and equipment shall be operated unless all approvals under Section 9 of the EPA, where applicable, have been obtained.

48. All direct discharges from this Site including stormwater run-off shall be managed in accordance with applicable Municipal, Provincial and or Federal Legislation, Regulations and By-laws.

Training

49. a. A training plan shall be submitted to the District Manager prior to the acceptance of any waste at the Site. The training plan shall be developed, implemented and maintained for any persons that operate the Site. The training plan shall require that all persons are trained in those activities that they are directly involved in or are responsible for overseeing.

b. A record showing that all persons directly involved with activities relating to the Site have been trained in accordance with the requirements described in Condition 49a above shall be maintained at the Site at all times.

50. A Trained Person shall be available at all times during the hours of operation of this Site to carry out any activity required under this Certificate.

Complaint Response

51. If at any time a complaint is received regarding the operation of the Site, the complaint shall be responded to according to the following procedure:

a. The District Manager shall be notified in writing with 24 hours of the receipt of any complaint;

b. Each complaint shall be recorded and numbered, either electronically or in a separate log book, and shall include the following information:

- i. the nature of the complaint,
- ii. if complaint is odour or nuisance related, the weather conditions and wind direction at the time of the complaint;
- iii. the address of the complainant (if provided); and
- iv. the time and date of the complaint;

c. Appropriate steps shall be taken forthwith to determine all possible causes of the complaint and to eliminate the cause of the complaint. A written reply shall be provided to the complainant within three (3) business days of the complaint; and

d. A report written shall be completed and retained at the Site within one (1) week of the complaint date outlining the information required by subconditions a, b, and c above that details as appropriate, the actions taken to investigate the cause of and to resolve the complaint including any recommendations for remedial measures, and managerial or operational changes proposed and taken to reasonably avoid the recurrence of similar incidents.

Emergency Response Plan

52. The Owner shall submit to the District Manager a Spill Contingency and Emergency Response Plan for the Site prior to the acceptance of waste at the Site. The Spill Contingency and Emergency Response Plan submitted must be acceptable to the local Municipality and the local Fire Department and shall be implemented prior to any waste being received at the Site. At a minimum the Spill Contingency and Emergency Response Plan shall include the following:

- a. emergency response procedures to be undertaken in the event of a spill or process upset, including specific clean up methods for each different type of waste the Site is approved to accept;
- b. a list of equipment and spill clean up materials available in case of an emergency; and
- c. notification protocol with names and telephone numbers of persons to be contacted, including persons responsible for the site, the Ministry's District Office and Spills Action Centre, the local Fire Department, the local Municipality, the local Medical Officer of Health, the Ministry of Labour, and the names and telephone numbers of waste management companies available for emergency response.

53. The Owner shall ensure that the Spill Contingency and Emergency Response Plan for the Site is reviewed annually and maintained current at all times.

54. The Spill Contingency and Emergency Response Plan shall be retained in a central location on the Site and shall be accessible to all staff at all times. The Owner shall ensure that the District Manager, the local Municipality and the Fire Department are notified of any changes to the Spill Contingency and Emergency Response Plan.

55. The equipment, materials and personnel requirements outlined in the Spill Contingency and Emergency Response Plan shall be immediately available on the Site at all times. The equipment shall be kept in a good state of repair and in a fully operational condition.

56. All staff that operate the Site shall be fully trained in the use of the Spill Contingency and Emergency Response Plan and in the procedures to be employed in the event of an emergency.

57. The Owner shall immediately take all measures necessary to contain and clean up any spill or leak which may result from the operation of this Site and immediately implement the Spill Contingency and Emergency Response Plan if required.

Site Design and Operating Manual

58. The Design and Operating Manual shall be retained at the Site; kept up to date; and be available for inspection by Ministry staff. The Design and Operating Manual shall contain at a minimum the information specified for a waste processing site as described in the most recent version of the Ministry publication "Guide To Applying For Approval Of Waste Disposal Sites".

59. Proposed changes to the Design and Operating Manual shall be submitted to the Director for approval. No such changes shall be implemented before receiving approval from the Director.

Daily Log Book

60. A log book or electronic file shall be maintained at the Site for a minimum of five years and shall include daily records of the following information. All amounts must be recorded in metric:

- a. the date;
- b. the types, amounts and sources of waste received at the Site;
- c. a record of any waste refusals which shall include: amounts, reasons for refusal and actions taken;
- d. the type and amounts of unprocessed and processed waste at the Site;
- e. the results of the sampling and analysis of the residual wastes generated at the Site, and the results of sampling and analysis carried out on any automotive shredded residual streams;
- f. the amounts and destination of each type of waste shipped from the Site;
- g. a record of daily inspections required by this Certificate;

- h. a record of any spills or process upsets at the site, the nature of the spill or process upset and the action taken for the clean up or correction of the spill, the time and date of the spill or process upset, and for spills, the time that the Ministry and other persons were notified of the spill in fulfilment of the reporting requirements in the EPA; and
- i. the signature of the person conducting the inspection and completing the report.

Annual Report

61. No later than March 31, 2012 and every March 31 thereafter, the Owner shall prepare and provide to the District Manager a report covering the previous operating year. The annual report shall include the following as a minimum:

- a. an executive summary;
- b. a statement as to compliance with the requirements of the Conditions of this Certificate and the Certificate of Approval (Air) with the inspection and reporting requirements of the Conditions contained herein;
- c. a detailed monthly and annual summary of the information required by Condition 46 of this Certificate;
- d. any environmental and operational problems, that caused or was likely to cause an adverse affect, encountered during the operation of the Site and during the facility inspections and any mitigative actions taken;
- e. any changes to the Spill Contingency and Emergency Response Plan, the Design and Operating Manual and the Closure Plan that have been approved by the Director since the last annual report;
- f. any recommendations to minimize environmental impacts from the operation of the Site and to improve Site operations and monitoring programs in this regard; and
- g. a summary of any complaints received and mitigating actions undertaken.

Closure Plan

62. A Closure Plan shall be submitted to the Director for approval within ninety (90) days of the issuance of this Certificate with a copy to the District Manager. The Closure Plan must include, at a minimum, a description of the work that will be done to facilitate closure of the Site and a schedule for completion of that work.

63. When the Owner ceases to receive, process and transfer waste at the Site in accordance with this Certificate, the Owner shall promptly close the Site in accordance with the approved Closure Plan.

64. Within ten (10) days after closure of the Site, the Owner shall notify the Director, in writing, that the Site is closed and that the approved Closure Plan has been implemented.

SCHEDULE "A"

This Schedule forms a part of this Certificate of Approval:

1. Application for a Provisional Certificate of Approval for a Waste Disposal Site dated March 17, 2011 and signed by John O'Sullivan, VP Operations, Plasco Energy Group Inc., including the attached Design and Operations Report dated March 18, 2011 prepared by Plasco Energy Group Inc.
2. Email from Amber Seeds, P.Eng., Plasco Energy Group Inc., to Andrew Neill, P.Eng., MOE, with an addendum to the application, including: (1) the document entitled "Addendum to an Application for a Certificate of Approval (Waste)" dated July 31, 2011; and (2) the revised site drawing entitled "Plant Wide Equipment Layout Plan View", 141-DL-0260, Rev. M.
3. Letter dated September 8, 2011 from Plasco Energy Group Inc. to Andrew Neill, P.Eng., MOE, including: (1) additional information on air emissions; (2) confirmation that automotive shredded residuals will be tested to ensure they are non-hazardous before being subjected to thermal treatment; (3) confirmation that hazardous process residuals will not be subjected to thermal treatment, and that only non-hazardous on-site generated waste streams, including general site waste and partially converted MSW ash, may be subjected to thermal treatment; and (4) a revised Financial Assurance estimate.

CONTENT COPY OF ORIGINAL

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

1. The reason for Condition 1 is to simplify the wording of the subsequent conditions and define the specific meaning of terms as used in this Provisional Certificate of Approval.
2. The reason for Conditions 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 19, and 20 is to clarify the legal rights and responsibilities of the Owner and Operator.
3. The reason for Conditions 4, 35, 37, 58 and 59 is to ensure that the Site is operated in accordance with the applications and supporting documentation submitted by the Owner, and not in a manner which the Director has not been asked to consider.
4. The reasons for Condition 13 are to ensure that the Site is operated under the corporate name which appears on the application form submitted for this approval, to ensure that the Director is informed of any changes and to ensure that the former owners and/or operators of the Site are not involved in any aspect of the charge, management or control of the Site.
5. The reasons for Condition 14 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 compromise compliance with this Certificate of Approval.
6. The reason for Conditions 15, 16 and 17 is to ensure that sufficient funds are available to the Ministry to clean up the Site in the event that it appears the Owner is unable or unwilling to do so.
7. The reason for Condition 18 is to ensure that appropriate Ministry staff have ready access to the Site for inspection of facilities, equipment, practices and operations required by the conditions in this Certificate of Approval. This condition is supplementary to the powers of entry afforded a Provincial Officer pursuant to the EPA and OWRA.
8. The reason for Condition 21 is to ensure the availability of accurate record drawings for inspection and information purposes.
9. The reason for Conditions 22, 34, 36, 38, 39, 40, 41, 43, 44, 46, 47 and 48 is to ensure that the Site is operated in a manner which does not result in a nuisance or a hazard to the health and safety of the environment or the public.
10. The reason for Conditions 23 and 24 is to require public meetings and the maintenance of a public website in order for the public to remain informed about Site operations.
11. The reasons for Conditions 25, 26, 27 and 28 are to specify the types of waste that may be accepted at the Site, the amounts of waste that may be stored at the Site and the maximum rate at which the Site may receive and utilize waste, based on the applications and supporting documentation.
12. The reason for Condition 29 is to specify the hours of operation for the Site.
13. The reason for Condition 30 is to ensure the controlled access and integrity of the Site by preventing unauthorized access when the Site is closed and no site attendant is on duty.
14. The reason for Condition 31 is to ensure that users of the Site are fully aware of important information and restrictions related to Site operations and access under this Certificate of Approval.
15. The reason for Conditions 32, 33 and 42 is to ensure that all wastes are properly classified to ensure that they are managed, processed and disposed of in accordance with Reg. 347, R.R.O. 1990 and in a manner that protects the health and safety of the public and the environment.
16. The reason for Condition 45 is to ensure that detailed records of Site inspections are recorded and maintained for inspection and information purposes.
17. The reason for Conditions 49 and 50 is to ensure that the Site is operated by properly Trained staff in a manner which

does not result in a hazard or nuisance to the natural environment, on-site personnel or the public.

18. The reason for Condition 51 is to ensure that any complaints regarding Site operations at the Site are responded to in a timely manner.

19. The reasons for Conditions 52, 53, 54, 55, 56 and 57 are to ensure that an Emergency Response Plan is developed and maintained at the Site, and that staff are properly trained in the operation of the equipment used at the Site and emergency response procedures.

20. The reason for Condition 60 is to provide for the proper assessment of effectiveness and efficiency of site design and operation, their effect or relationship to any nuisance or environmental impacts, and the occurrence of any public complaints or concerns. Record keeping is necessary to determine compliance with this Certificate of Approval, the EPA and its regulations.

21. The reasons for Condition 61 are to ensure that regular review of site development, operations and monitoring data is documented and any possible improvements to site design, operations or monitoring programs are identified. An annual report is an important tool used in reviewing site activities and for determining the effectiveness of site design.

22. The reason for Conditions 62, 63 and 64 is to ensure the Site is closed in accordance with Ministry standards.

This Provisional Certificate of Approval revokes and replaces Certificate(s) of Approval No. 3166-6TYMDZ issued on January 13, 2011

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.

CONTENT COPY OF ORIGINAL

DATED AT TORONTO this 24th day of October, 2011

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

AN/
c: District Manager, MOE Ottawa
Amber Seeds, Plasco Trail Road Inc.