

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER A-500-1115044194

Version: 1.0

Issue Date: December 2, 2021

Pursuant to section 20.3 of the Environmental Protection Act, R.S.O. 1990, c. E. 19 and subject to all other applicable Acts or regulations this Environmental Compliance Approval is issued to:

THE CORPORATION OF THE CITY OF
TEMISKAMING SHORES.

325 FARR DRIVE
HAILEYBURY ONTARIO
P0J1K0

For the following site:

325 Farr Drive , Temsikaming, TEMISKAMING SHORES,
ONTARIO, CANADA, P0J 1K0

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s) A571505, issued on May 9, 2000.

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

for the use and operation of 7.7 hectares (ha) within a total site area of 32 hectares for disposal of domestic, commercial and industrial solid non-hazardous waste.

DEFINITIONS

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

1. "Adverse Effect" has the same meaning as defined in the EPA;
2. "Approval" means this entire Environmental Compliance Approval and any Schedules attached to it;
3. "Director" means a person appointed by the Minister pursuant to section 5 of the EPA for the purposes of Part II.1 of the EPA;
4. "District Manager" means the District Manager of the appropriate local district office of the Ministry, where the Site is geographically located;
5. "EPA" means the Environmental Protection Act, R.S.O. 1990, c.E.19;
6. "Ministry" means the ministry of the government of Ontario responsible for the EPA and OWRA and includes all officials, employees or other persons acting on its behalf;
7. "OWRA" means the Ontario Water Resources Act, R.S.O. 1990, c. O.40;

8. "Schedules" means the following schedules attached to this Approval and forming part of this Approval namely:
 - Schedule "1" - Supporting Documentation
9. "Supporting Documentation" means the documents listed in Schedule "1" of this Approval;
10. "Contaminant Attenuation Zone" or "CAZ" means a three-dimensional zone that,
 - a. is located on land adjacent to a landfilling site,
 - b. is in the subsurface or extends into the subsurface, and
 - c. is used or is intended to be used for the attenuation of contaminants from the landfilling site to levels that will not have an unacceptable impact beyond the boundary of the zone;
11. "NMA" means the Nutrient Management Act, 2002, S.O. 2002, c. 4;
12. "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 and includes its successors or assigns;
13. "Owner" means any person that is responsible for the establishment or operation of the Site being approved by this *Approval*, and includes *Owner's* Legal Name and its successors and assigns;
14. "PA" means the Pesticides Act, R.S.O. (1990), c. P.11;
15. "Provincial Officer" means any person designated in writing by the Minister as a provincial officer pursuant to Section 5 of the OWRA, Section 5 of the EPA, Section 17 of the PA, Section 4 of the NMA, or Section 8 of the SDWA;
16. "Reg. 347" means R.R.O. 1990, Reg. 347: (General - Waste Management), made under the EPA;
17. "Reg. 903" means R.R.O. 1990, Reg. 903: (Wells), made under the OWRA;
18. "Regional Director" means the Regional Director of the local Regional Office of the Ministry in which the Site is located;
19. "SDWA" means the Safe Drinking Water Act, 2002, S.O. 2002, c. 32;
20. "Site" means the entire waste disposal site, including the buffer lands, and contaminant attenuation zone at Lot West 1/2 of Lot 5, Concession 2, Temiskaming Shores City, District of Temiskaming;
21. "Trained Personnel" means personnel knowledgeable in the following through instruction and/or practice:
 - a. relevant waste management legislation, regulations and guidelines;
 - b. major environmental concerns pertaining to the waste to be handled;
 - c. occupational health and safety concerns pertaining to the processes and wastes to be handled;
 - d. management procedures including the use and operation of equipment for the processes and wastes to be handled;
 - e. emergency response procedures;
 - f. specific written procedures for the control of nuisance conditions;
 - g. specific written procedures for refusal of unacceptable waste loads; and
 - h. the requirements of this Approval.

TERMS AND CONDITIONS

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

A. GENERAL

1. Compliance

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

2. In Accordance

1. Except as otherwise provided by this Approval, the Site shall be designed, developed, built, operated and maintained in accordance with the documentation listed in the attached Schedule 1.

3. Interpretation

1. Where there is a conflict between a provision of any document listed in Schedule 1 in this Approval, and the conditions of this Approval, the conditions in this Approval shall take precedence.
2. Where there is a conflict between the application and a provision in any document listed in Schedule 1, the application shall take precedence, unless it is clear that the purpose of the document was to amend the application and that the Ministry approved the amendment.
3. Where there is a conflict between any two documents listed in Schedule 1, the document bearing the most recent date shall take precedence.
4. The conditions of this Approval are severable. If any condition of this Approval, or the application of any condition of this Approval to any circumstance, is held invalid or unenforceable, the application of such condition to other circumstances and the remainder of this Approval shall not be affected thereby.

4. Other Legal Obligations

1. The issuance of, and compliance with, this Approval 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 Approval.

5. Adverse Effect

1. The Owner and Operator shall take steps to minimize and ameliorate any adverse effect on the natural environment or impairment of water quality resulting from the Site, including such accelerated or additional monitoring as may be necessary to determine the nature and extent of the effect or impairment.
2. Despite an Owner, operator or any other person fulfilling any obligations imposed by this Approval, the person remains responsible for any contravention of any other condition of

this Approval or any applicable statute, regulation, or other legal requirement resulting from any act or omission that caused the adverse effect to the natural environment or impairment of water quality.

6. Change of Owner

1. The Owner shall notify the Director, in writing, and forward a copy of the notification to the District Manager, within 30 days of the occurrence of any changes in the following information:
 - a. the ownership of the Site;
 - b. the Operator of the Site;
 - c. the address of the Owner or Operator; and
 - d. the partners, where the Owner or Operator is or at any time becomes a partnership and a copy of the most recent declaration filed under the Business Names Act, R. S. O. 1990, c. B.17, shall be included in the notification.
2. 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.
3. In the event of any change in ownership of the Site, other than change to a successor municipality, the Owner shall notify the successor of and provide the successor with a copy of this Approval, and the Owner shall provide a copy of the notification to the District Manager and the Director.

7. Registration on Title

1. Prior to dealing with the property in any way, the Owner shall provide a copy of this Approval and any amendments, to any person who will acquire an interest in the property as a result of the dealing.
2. Within 180 calendar days from the date of issuance of this Approval, the Owner shall submit to the Director a completed Certificate of Requirement which shall include:
 - a. a plan of survey prepared, signed and sealed by an Ontario Land Surveyor, which shows the area of the Site where waste has been or is to be deposited at the Site;
 - b. proof of ownership of the Site;
 - c. a letter signed by a member of the Law Society of Upper Canada or other qualified legal practitioner acceptable to the Director, verifying the legal description provided in the Certificate of Requirement;
 - d. the legal abstract of the property; and
 - e. any supporting documents including a registerable description of the Site.
3. Within fifteen (15) calendar days of receiving a Certificate of Requirement authorized by the Director, the Owner shall:
 - a. register the Certificate of Requirement in the appropriate Land Registry Office on the title to the property; and
 - b. submit to the Director and the District Manager, written verification that the Certificate of Requirement has been registered on title.

8. Inspections by the Ministry

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

9. Information and Record Retention

1. Except as authorized in writing by the Director, all records required by this Approval shall be retained at the Site for a minimum of two (2) years from their date of creation.
 - a. The Owner shall retain all documentation listed in Schedule 1 for as long as this Approval is valid.
 - b. The Owner shall retain employee training records as long as the employee is working at the Site.
 - c. The Owner shall make all of the above documents available for inspection upon request of Ministry staff.
2. The receipt of any information by the Ministry or the failure of the Ministry to prosecute any person or to require any person to take any action under this Approval or under any statute, regulation or 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 Approval or any statute, regulation or other legal requirement; or
 - b. acceptance by the Ministry of the information's completeness or accuracy.
3. The Owner shall ensure that a copy of this Approval, in its entirety and including all its Notices of Amendment, and documentation listed in Schedule 1, are retained at the Site at all times.
4. Any information related to this Approval and contained in Ministry files may be made available to the public in accordance with the provisions of the Freedom of Information and Protection of Privacy Act, RSO 1990, CF-31.

10. Registration on Title Requirement - Contaminant Attenuation Zone (CAZ)

1. Within four (4) years from the date of this Approval, the Owner shall complete acquiring the ground water easement to the proposed contaminant attenuation zone to the north /north east, and between CAZ eastern boundary and Highway 65.
2. The Owner must continue to own the property rights to the Contaminant Attenuation Zone for all of the contaminating life span of the Site.

3. The ownership of the property rights must include the right to:
 - a. discharge contaminants from the operations at the Site into the Contaminant Attenuation Zone;
 - b. enter into the Contaminant Attenuation Zone and onto the surface above the Contaminant Attenuation Zone for purposes of testing, monitoring, intercepting contaminants and carrying out remedial work;
 - c. install, operate and maintain works, for the purposes mentioned in clause (b), in the Contaminant Attenuation Zone, including on the surface above the Contaminant Attenuation Zone; and
 - d. prevent the owner(s) of the land(s) in which the Contaminant Attenuation Zone is located from paving, erecting a structure or making any use of land(s) above or in the vicinity of the contaminant attenuation zone that would interfere with the functioning of the Contaminant Attenuation Zone or with the exercise of any of the rights mentioned in this subsection.
4. The Owner shall notify the Director in writing within thirty (30) days after any change in his, her or its ownership of the property rights in the Contaminant Attenuation Zone.
5. The Owner shall ensure that the written easement agreement, specified in Condition 10(3) includes an agreement of the property owner(s) of the land(s) required for the Contaminant Attenuation Zone, to register a Certificate of Requirement on title to the land (s) to be used as the Contaminant Attenuation Zone.
6. Within thirty (30) calendar days from the date of establishing a Contaminant Attenuation Zone (overburden and/or bedrock aquifers) in either fee simple or by way of a groundwater easement, the Owner shall submit to the Director a completed Certificate of Requirement which shall include:
 - a. If rights are obtained in fee simple, the Owner shall provide:
 - i. documentation evidencing ownership of the CAZ obtained in compliance with O. Reg. 232/98, as amended;
 - ii. a completed Certificate of Requirement and supporting documents containing a registerable description of the CAZ; and
 - iii. a letter signed by a member of the Law Society of Upper Canada; or other qualified legal practitioner acceptable to the Director, verifying the legal description of the CAZ.
 - b. Within fifteen (15) calendar days of receiving a Certificate of Requirement signed or authorized by the Director, the Owner shall:
 - i. register the Certificate of Requirement in the appropriate Land Registry Office on the title to the property; and
 - ii. submit to the Director and the District Manager, written verification that the Certificate of Requirement has been registered on title.
 - c. If rights are obtained by way of a groundwater easement, the Applicant shall:
 - i. provide a copy of the easement;
 - ii. provide a plan of survey signed and sealed by an Ontario Land Surveyor for the CAZ;
 - iii. submit proof of registration on title of the groundwater easement to the Director;

- d. The Owner shall not amend or remove or consent to the removal of the easement or CAZ from title without the prior written consent of the Director.

B. SITE OPERATIONS

1. Operations

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

2. Signs

1. The Owner shall install and maintain a sign at the entrance to the Site. The sign shall be visible and readable from the main road leading to the Site. The following information shall be included on the sign:
 - a. the name of the Site and Owner;
 - b. the number of the Approval;
 - c. the name of the Operator;
 - d. the normal hours of operation;
 - e. the allowable waste types;
 - f. the telephone number to which complaints may be directed;
 - g. a warning against unauthorized access;
 - h. a twenty-four (24) hour emergency telephone number (if different from above); and
 - i. a warning against dumping outside the Site.

3. Vermin, Vectors, Dust, Litter, Odour, Noise and Traffic

1. The Site shall be operated and maintained such that the vermin, vectors, dust, litter, odour, noise and traffic do not create a nuisance.

4. Burning

1. Burning of waste at the Site is prohibited.

5. Site Security

1. No waste shall be received, landfilled or removed from the Site unless a site supervisor or an attendant is present and supervises the operations during operating hours. The Site shall be closed when a site attendant is not present to supervise landfilling operations.
2. The Site shall be operated and maintained in a safe and secure manner. During non-operating hours, the Site entrance and exit gates shall be locked and the Site shall be secured against access by unauthorized persons.
3. The Owner shall ensure that:
 - a. access to the Site is restricted by fencing; and
 - b. fencing and lockable gate are kept in good repair.

4. All wastes and recyclable materials (scrape metals, glass and plastic) stored in temporary bin shall be managed and disposed of in accordance with the Act and Reg. 347.
5. The Owner shall ensure that:
 - a. all bins and waste storage areas are clearly labelled;
 - b. all lids or doors on bins shall be kept closed during non-operating hours and during high wind events; and
 - c. if necessary to prevent litter, waste storage areas shall be covered during high winds events.
6. The Owner shall transfer recyclable materials from the Site once the storage bins are full.
7. The Owner shall maintain a log book which records the following information:
 - a. date of record;
 - b. quantities (m³) and destination of each type of waste, including recyclable material, shipped from the transfer station; and
 - c. complaints received, if any, including the nature of the complaint, time of complaint and action(s) taken to remediate the problem.

6. Hours of Operations

1. The normal operating hours of the Site shall be as follows:
 - a. The maximum waste disposal operating hours of the landfill are Monday - Saturday 7:00 a.m. - 7:00 p.m.;
 - b. The Site shall be closed on Sundays and statutory holidays;
2. On-site equipment used for daily site preparation and closing activities may be operated one (1) hour before and one (1) hour after the hours of operation approved by this *Approval*.
3. With the prior written approval from the District Manager, the time periods may be extended to accommodate seasonal or unusual quantities of waste.

7. Nuisances

1. The Site shall be operated and maintained such that the vermin, vectors, dust, litter, odour, noise and traffic do not create a nuisance.

C. EMPLOYEE TRAINING

1. 1. A training plan for all employees that operate any aspect of the Site shall be developed and implemented by the Owner or the Operator. Only Trained Personnel shall operate any aspect of the Site or carry out any activity required under this *Approval*.

D. COMPLAINT RESPONSE PROCEDURE

1. 1. If at any time the Owner receives complaints regarding the operation of the Site, the Owner shall respond to these complaints according to the following procedure:
 - a. The Owner shall record and number each complaint, either electronically or in a log book, and shall include the following information: the nature of the complaint, the name, address and the telephone number of the complainant if the complainant will provide this information and the time and date of the complaint;

- b. The Owner, upon notification of the complaint, shall initiate appropriate steps to determine possible causes of the complaint, proceed to take the necessary actions to eliminate the cause of the complaint and forward a formal reply to the complainant; and
- c. The Owner shall complete and retain on-site a report written within one (1) week of the complaint date, listing the actions taken to resolve the complaint and any recommendations for remedial measures, and managerial or operational changes to reasonably avoid the recurrence of similar incidents.

E. EMERGENCY RESPONSE

1.
 1. All equipment and materials required to handle the emergency situations shall be:
 2. All wastes resulting from an emergency situation shall be managed and disposed of in accordance with Reg. 347.
 3. In addition, the Owner shall submit, to the District Manager a written report within three (3) business days of the emergency situation, outlining the nature of the incident, remedial measures taken, handling of waste generated as a result of the emergency situation and the measures taken to prevent future occurrences at the Site.
 4. All Spills as defined in the EPA shall be immediately reported to the **Ministry's Spills Action Centre at 1-800-268-6060** and shall be recorded in the log book as to the nature of the emergency situation, and the action taken for clean-up, correction and prevention of future occurrences.
 - a. kept on hand at all times that waste landfilling and/or handling is undertaken at the Site; and
 - b. adequately maintained and kept in good repair.
 5. The Owner shall ensure that the emergency response personnel are familiar with the use of such equipment and its location(s).

F. INSPECTIONS, RECORD KEEPING AND REPORTING

1. Daily Log Book

1. A daily log shall be maintained in written or electronic format and shall include the following information:
 - a. the type, date and time of arrival, hauler, and quantity (tonnes) of all waste and cover material received at the Site;
 - b. the area of the Site in which waste disposal operations are taking place;
 - c. a record of litter collection activities and the application of any dust suppressants;
 - d. a record of the daily inspections; and
 - e. a description of any out-of-service period of any control, treatment, disposal or monitoring facilities, the reasons for the loss of service, and action taken to restore and maintain service.
2. Any information requested, by the Director or a Provincial Officer, concerning the Site and its operation under this Approval, including but not limited to any records required to be kept by this Approval shall be provided to the Ministry, upon request.

2. Daily Inspections and Log Book

1. An inspection of the entire Site and all equipment on the Site shall be conducted each day the Site is in operation to ensure that: the Site is secure; that the operation of the Site is not causing any nuisances; that the operation of the Site is not causing any adverse effects on the environment and that the Site is being operated in compliance with this Approval. Any deficiencies discovered as a result of the inspection shall be remedied immediately, including temporarily ceasing operations at the Site if needed.
2. A record of the inspections shall be kept in a daily log book that includes:
 1. the name and signature of person that conducted the inspection;
 2. the date and time of the inspection;
 3. the list of any deficiencies discovered;
 4. the recommendations for remedial action; and
 5. the date, time and description of actions taken.
3. A record shall be kept in the daily log book of all refusals of waste shipments, the reason (s) for refusal, and the origin of the waste, if known.

3. Annual Report

1. A written report on the development, operation and monitoring of the Site, shall be completed annually (the "Annual Report"). The Annual Report shall be submitted to the District Manager, by July 31st of the year following the period being reported upon.
2. The Annual Report shall include but not be limited to the following information:
 - a. the results and an interpretive analysis of the results of all leachate, groundwater surface water and landfill gas monitoring, including an assessment of the need to amend the monitoring programs;
 - b. an assessment of the operation and performance of all engineered facilities, the need to amend the design or operation of the Site, and the adequacy of and need to implement the contingency plans;
 - c. site plans showing the existing contours of the Site; areas of landfilling operation during the reporting period; areas of intended operation during the next reporting period; areas of excavation during the reporting period; the progress of final cover, vegetative cover, and any intermediate cover application; facilities existing, added or removed during the reporting period; and site preparations and facilities planned for installation during the next reporting period;
 - d. calculations of the volume of waste, weekly and intermediate cover, and final cover deposited or placed at the Site during the reporting period and a calculation of the total volume of Site capacity used during the reporting period;
 - e. a calculation of the remaining capacity of the Site and an estimate of the remaining Site life;
 - f. a summary of the weekly, maximum daily and total annual quantity (tonnes) of waste received at the Site;
 - g. a summary of any complaints received and the responses made;
 - h. a discussion of any operational problems encountered at the Site and corrective action taken;

- i. any changes to the Design and Operations Report and the Closure Plan that have been approved by the Director since the last Annual Report;
- j. a report on the status of all monitoring wells and a statement as to compliance with Ontario Regulation 903; and
- k. any other information with respect to the Site which the District Manager may require from time to time.

G. LANDFILL DESIGN AND DEVELOPMENT

1. Approved Waste Types

1. Only municipal waste as defined under Reg. 347 being solid non-hazardous shall be accepted at the Site for landfilling and a drop-off recyclable materials (scrape metals, glass and plastic) for temporary storage in bins for off-site disposal.
2. The Owner shall develop and implement a program to inspect waste to ensure that the waste received at the Site is of a type approved for acceptance under this Approval.
3. The Owner shall ensure that all loads of waste are properly inspected by Trained personnel prior to acceptance at the Site and that the waste vehicles are directed to the appropriate areas for disposal or transfer of the waste.
4. The Owner shall notify the District Manager, in writing, of load rejections at the Site within one (1) business day from their occurrence.

2. Capacity

1. The calculated theoretical maximum volumetric capacity of the Site, consisting of the waste, daily cover and intermediate cover, but excluding the final cover is **366,845** cubic metres. The total capacity of the site including historical waste, capacity expansion, daily cover and intermediate cover is 874,000 cubic meter.
2. Within 2 years from the date of issuance of the Approval, the waste deposited outside the waste footprint area shown on updated Figure 6 of the Design and Operations Plan, enclosed as Item 21 in Schedule "1", shall be excavated and deposited within the approved waste footprint area.

3. Service Area

1. Only waste that is generated within the geographical boundaries of the Haileybury, Dymond and New Liskeard and Town of Cobalt, and two First Nation Communities (Timiskaming First Nation and Kebaowk First Nation) shall be accepted at the Site.

4. Cover

1. Alternative materials to soil may be used as weekly and interim cover material, based on an application with supporting information and applicable fee for a trial use or permanent use, submitted by the Owner to the Director, copied to the District Manager and as approved by the Director via an amendment to this Approval. The alternative material shall be non-hazardous according to Reg. 347 and will be expected to perform at least as well as soil in relation to the following functions:
 - a. Control of blowing litter, odours, dust, landfill gas, gulls, vectors, vermin and fires;
 - b. Provision for an aesthetic condition of the landfill during the active life of the Site;
 - c. Provision for vehicle access to the active tipping face; and

- d. Compatibility with the design of the Site for groundwater protection, leachate management and landfill gas management.
2. Cover material shall be applied as follows:
 - a. Weekly Cover - Weather permitting, deposited waste shall be covered every week in a manner acceptable to the District Manager so that no waste is exposed to the atmosphere;
 - b. Intermediate Cover - In areas where landfilling has been temporarily discontinued for six (6) months or more, a minimum thickness of 300 millimetre of soil cover or an approved thickness of alternative cover material shall be placed; and
 - c. Final Cover - In areas where landfilling has been completed to final contours, a minimum 600 millimetre thick layer of soil of medium permeability and 150 millimetres of top soil (vegetative cover) shall be placed. Fill areas shall be progressively completed and rehabilitated as landfill development reaches final contours.
 3. Where existing cover material has eroded such that waste is exposed, the cover material shall be promptly replaced.

5. Solar Panels in CAZ

1. The Owner shall ensure that:
 - a. the proposed solar panel installations within the CAZ do not interfere or affect ongoing Site groundwater and surface water monitoring programs, or the functioning of the CAZ;
 - b. access is maintained to all existing Site CAZ monitoring wells;
 - c. the proposed solar panels do not prevent or impede any future monitoring well installations that may be required within the CAZ.

6. Storm Water and Erosion Control

1. Prior to the acceptance of waste at this Site, the storm water control structures (diversion ditches, soil berms and seepage pond) shall be constructed as per Design and Operations report, enclosed as Item 11 of Schedule "1".

H. LANDFILL MONITORING

1. Landfill Gas

1. The Owner shall ensure that any buildings or structures at the Site contain adequate ventilation systems to relieve any possible landfill gas accumulation to prevent methane concentration reaching the levels within its explosive range. Routine monitoring for explosive methane gas levels shall be conducted in all buildings or structures at the Site, especially enclosed structures which at times are occupied by people.
2. Within 2 year of the issuance of this Approval, the Owner shall construct at least two (2) dedicated landfill gas monitors at locations as shown on Figure 3 of the Proposed Surface and Groundwater Monitoring Program dated November 24, 2020 and the landfill gas monitoring shall occur concurrently with the groundwater monitoring plan outlined in Item 12 of Schedule "1".
3. The Owner shall ensure that all on-Site enclosed buildings are equipped with appropriate dedicated gas monitoring devices.

2. Leachate Monitoring

1. Within 1 year of closure of Cell 2, the Owner shall construct one (1) dedicated leachate monitoring well within Cell 2 at location acceptable to the District Manager.
2. The leachate level and sampling and chemical testing shall occur concurrently with the groundwater monitoring plan outlined in Item 12 of Schedule "1".

3. Surface Water and Groundwater

1. The Owner shall monitor surface water and ground water in accordance with the monitoring program outlined in "Surface and Groundwater Monitoring Program, New Liskeard Waste Disposal Site, dated November 24, 2020, and enclosed as Item 12 in Schedule "1".

4. Groundwater Wells and Monitors

1. The Owner shall ensure that all groundwater monitoring wells which form part of the monitoring program are properly capped, locked and protected from damage.
2. Where landfilling is to proceed around monitoring wells, suitable extensions shall be added to the wells and the wells shall be properly re-secured.
3. Any groundwater monitoring well included in the on-going monitoring program that is damaged shall be assessed, repaired, replaced or decommissioned by the Owner, as required.
 - a. The Owner shall repair or replace any monitoring well which is destroyed or in any way made to be inoperable for sampling such that no more than one regular sampling event is missed.
 - b. All monitoring wells which are no longer required as part of the groundwater monitoring program, and have been approved by the Director for abandonment, shall be decommissioned by the Owner, as required, in accordance with O. Reg. 903, to prevent contamination through the abandoned well. A report on the decommissioning of the well shall be included in the Annual Report for the period during which the well was decommissioned.

5. Trigger Mechanisms and Contingency Plans

1. The Trigger mechanism shall be implemented as noted below:
 - a. Trigger mechanisms shall be in accordance with Trigger Mechanisms Contingency Plan provided in "Surface and Groundwater Monitoring Program, New Liskeard Waste Disposal Site, dated November 24, 2020, and enclosed as Item 12 in Schedule "A".
 - b. Contingency plan in the event of a confirmed exceedance of a site-specific trigger level relating to leachate mounding or groundwater or surface water impacts due to leachate shall be in accordance with Item 12 of Schedule "1".
 - c. In addition to the trigger parameters listed in Table 4 of the "Surface and Groundwater Monitoring Program, New Liskeard Waste Disposal Site, dated November 24, 2020, fluoride shall be deemed a trigger parameter for which a trigger concentration shall be established. Moreover, the trigger concentration for groundwater parameters is set at 80% of the Reasonable Use Concentration (RUC).
2. In the event of a confirmed exceedance of a site-specific trigger level relating to leachate mounding or groundwater or surface water impacts due to leachate, the Owner shall immediately notify the District Manager, and an investigation into the cause and the need

for implementation of remedial or contingency actions shall be carried out by the Owner in accordance with the approved trigger mechanisms and associated contingency plans.

3. If monitoring results, investigative activities and/or trigger mechanisms indicate the need to implement contingency measures, the Owner shall ensure that the following steps are taken:
 - a. The Owner shall notify the District Manager, in writing of the need to implement contingency measures, no later than 30 days after confirmation of the exceedances;
 - b. Detailed plans, specifications and descriptions for the design, operation and maintenance of the contingency measures shall be prepared and submitted by the Owner to the Director for approval; and
 - c. The contingency measures shall be implemented by the Owner upon approval by the Director.
4. The Owner shall ensure that any proposed changes to the site-specific trigger levels for leachate impacts to the surface water or groundwater, are approved in advance by the Director via an amendment to this Approval.

6. Changes to the Monitoring Plan

1. The Owner may request to make changes to the monitoring program to the District Manager in accordance with the recommendations of the annual report. The Owner shall make clear reference to the proposed changes in a separate letter that shall accompany the annual report.
2. Within sixty (60) days of receiving the written correspondence from the District Manager confirming that the District Manager is in agreement with the proposed changes to the environmental monitoring program, the Owner shall forward a letter identifying the proposed changes and a copy of the correspondences from the District Manager and all other correspondences and responses related to the changes to the monitoring program, to the Director requesting the Approval be amended to approve the proposed changes to the environmental monitoring plan prior to implementation.
3. In the event any other changes to the environmental monitoring program are proposed outside of the recommendation of the annual report, the Owner shall follow current Ministry procedures for seeking approval for amending the Approval.

7. Compliance

1. The Site shall be operated in such a way as to ensure compliance with the following:
 - a. Reasonable Use Guideline B-7 for the protection of the groundwater at the Site; and
 - b. Provincial Water Quality Objectives included in the July 1994 publication entitled Water Management Policies, Guidelines, Provincial Water Quality Objectives, as amended from time to time or limits set by the Regional Director, for the protection of the surface water at and off the Site.

I. CLOSURE PLAN

1. Closure Plan

1. At least 3 years prior to the anticipated date of closure of this Site, the Owner shall submit to the Director for approval, with copies to the District Manager, a detailed Site closure plan pertaining to the termination of landfilling operations at this Site, post-closure inspection, maintenance and monitoring, and end use. The plan shall include but not be limited to the following information:

- a. a plan showing Site appearance after closure;
- b. a description of the proposed end use of the Site;
- c. a description of the procedures for closure of the Site, including:
 - i. advance notification of the public of the landfill closure;
 - ii. posting of a sign at the Site entrance indicating the landfill is closed and identifying any alternative waste disposal arrangements;
 - iii. completion, inspection and maintenance of the final cover and landscaping;
 - iv. Site security;
 - v. removal of unnecessary landfill-related structures, buildings and facilities;
 - vi. final construction of any control, treatment, disposal and monitoring facilities for leachate, groundwater, surface water and landfill gas; and
 - vii. a schedule indicating the time-period for implementing sub-conditions (i) to (vi) above;
- d. descriptions of the procedures for post-closure care of the Site, including:
 - i. operation, inspection and maintenance of the control, treatment, disposal and monitoring facilities for leachate, groundwater, surface water and landfill gas;
 - ii. record keeping and reporting; and
 - iii. complaint contact and response procedures;
- e. an assessment of the adequacy of and need to implement the contingency plans for leachate and methane gas; and
- f. an updated estimate of the contaminating life span of the Site, based on the results of the monitoring programs to date.

REASONS

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

1. *The reason for Conditions A1(1&2), A3 (1 to 4), A4(1), A5(1&2), A8(1) and A9(1-3) is to clarify the legal rights and responsibilities of the Owner and Operator under this Approval.*
2. *The reasons for Condition A2(1), B5(3), and G6(1) are 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 reasons for Condition A6(1) 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.*
4. *The reasons for Condition A6(2) 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.*

5. *The reason for Condition A6(3) is to ensure that the successor is aware of its legal responsibilities.*
6. *The reasons for Conditions A7(1-3) and A10 (1-6) are that the Part II.1 Director is an individual with authority pursuant to Section 197 of the Environmental Protection Act to require registration on title and provide any person with an interest in property before dealing with the property in any way to give a copy of the Approval to any person who will acquire an interest in the property as a result of the dealing.*
7. *The reason for Condition A8(1) is to ensure that appropriate Ministry staff has 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 Act, the OWRA, the PA, the NMA and the SDWA.*
8. *The reason for Condition A9(1), A9(3) and B5(7) is to ensure that accurate waste records and approval documents are maintained to ensure compliance with the conditions in this Approval, the EPA and its regulations.*
9. *Condition A9(4) has been included to clarify what information may be subject to the Freedom of Information Act.*
10. *The reasons for Conditions B1(1), B3(1), B5(5&6), B7(1) and F2(1) are to ensure that the Site is operated, inspected and maintained in an environmentally acceptable manner and does not result in a hazard or nuisance to the natural environment or any person.*
11. *The reason for Conditions B2(1) is to ensure that users of the Site are fully aware of important information and restrictions related to Site operations and access under this Approval.*
12. *The reasons for Condition B4(1) are open burning of municipal waste is unacceptable because of concerns with air emissions, smoke and other nuisance effects, and the potential fire hazard and to make sure burning of brush and wood are carried out in accordance with Ministry guidelines.*
13. *The reason for Condition B5(4) is to ensure that waste is transported to and from the Site in accordance with Reg. 347.*
14. *The reasons for Condition B5(1&2) are to ensure that the Site is supervised by properly trained staff in a manner which does not result in a hazard or nuisance to the natural environment or any person 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.*
15. *The reasons for Condition B6(1-3) are to specify the hours of operation for the landfill site and a mechanism for amendment of the hours of operation, as required.*
16. *The reason for Condition C1(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.*
17. *The reason for Condition D1(1) is to ensure that any complaints regarding landfill operations at this Site are responded to in a timely and efficient manner.*

18. *Conditions E1(1-5) are included to ensure that emergency situations are handled in a manner to minimize the likelihood of an adverse effect and to ensure public health and safety and environmental protection.*
19. *The reason for Conditions F1(1&2) is 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.*
20. *The reason for Conditions F2(2&3) is to ensure that detailed records of Site inspections are recorded and maintained for inspection and information purposes.*
21. *The reasons for Conditions F3(1&2) 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 G1(1-4) and G2(1&2) 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.*
23. *The reasons for Conditions G3(1) are to specify the approved areas from which waste may be accepted at the Site, based on the Owner's application and supporting documentation.*
24. *The reasons for Condition G4(1-3) are to ensure that weekly and intermediate cover are used to control potential nuisance effects, to facilitate vehicle access on the Site, and to ensure an acceptable site appearance is maintained. The proper closure of a landfill site requires the application of a final cover which is aesthetically pleasing, controls infiltration, and is suitable for the end use planned for the Site.*
25. *Condition G5(1) is included to ensure that the proposed installations do not impact ongoing environmental protection programs at the Site.*
26. *The reasons for Condition H1(1-3) are to ensure that off-site migration of landfill gas is monitored and all buildings at the Site are free of any landfill gas accumulation, which due to a methane gas component may be explosive and thus create a danger to any persons at the Site.*
27. *Conditions F2(1&2), H2(1&2), H3(1) and H7(1) are included to specify the leachate, groundwater and surface water monitoring requirements for monitoring leachate, groundwater and surface water quality and to require the Owner to demonstrate that the 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.*
28. *Conditions H4(1-3) are included to ensure the integrity of the groundwater monitoring network so that accurate monitoring results are achieved and the natural environment is protected.*
29. *Conditions H5(1-4) are added to ensure the Owner has a plan with an organized set of procedures for identifying and responding to potential issues relating to groundwater and surface water contamination at the Site's compliance point.*
30. *The reasons for Conditions H6(1-3) are included to streamline the approval of the changes to the monitoring plan.*

31. The reasons for Condition II(1) are to ensure that final closure of the Site is completed in an aesthetically pleasing manner, in accordance with Ministry standards, and to ensure the long-term protection of the health and safety of the public and the environment.

APPEAL PROVISIONS

In accordance with Section 139 of the *Environmental Protection Act*, you may by written notice served upon me and the Ontario Land 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 ("the Notice") shall state:

- I. 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;
- II. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The Notice should also include:

- I. The name of the appellant;
- II. The address of the appellant;
- III. The environmental compliance approval number;
- IV. The date of the environmental compliance approval;
- V. The name of the Director, and;
- VI. 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:

Registrar* Ontario Land Tribunal 655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5 OLT.Registrar@ontario.ca	and	The Director appointed for the purposes of Part II.1 of the <i>Environmental Protection Act</i> Ministry of the Environment, Conservation and Parks 135 St. Clair Avenue West, 1st Floor Toronto, Ontario M4V 1P5
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*** Further information on the Ontario Land Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349 or 1 (866) 448-2248, or www.olt.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 3rd day of December, 2021



Mohsen Keyvani

Director

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

c: Maria Valcarcel, Wood PLC
Steve Burnett

The following schedules are a part of this environmental compliance approval:

SCHEDULE 1

SCHEDULE "1"

1. *The updated Application for a Certificate of Approval for a waste disposal site dated April 12, 2000.*
2. *Letters from Sutcliffe Rody Quesnel Inc. to the MOE dated February 4, 2000, March 14, 2000, and April 12, 2000.*
3. *Site Plan Approved Area (Sheet A) and Site Plan Final Contours (Sheet B) prepared by Sutcliffe Rody Quesnel Inc., and dated February 2000.*
4. *Application for a Provisional Certificate of Approval for a Waste Disposal Site dated November 19, 2004, signed by Dan Harvey, Director of Public Works, City of Temiskaming Shores, including all supporting documentation.*
5. *Application for a Provisional Certificate of Approval for a Waste Disposal Site dated November 14, 2005 and signed by Dave Treen, Manager of Environmental Services, City of Temiskaming Shores, including the attached drawing entitled "New Liskeard Landfill Site Figure 1 "showing the attenuation zone.*
6. *Application for a Certificate of Approval, Waste Disposal Site, dated November 1, 2011 and signed by Christopher Oslund, City Manager, City of Temiskaming Shores,*
7. *Letter dated March 15, 2012, from Jeff Roy, Program Manager, Canadian Solar Solutions Inc., to Lynda Mulcahy, P.Eng, MOE, RE: New Liskeard Landfill Contaminant Attenuation Zone, with attached letter report dated March 7, 2012, by Anthony Story, Story Environmental Inc.*
8. *e-mail from David Treen, City of Temiskaming Shores, to Mark Feenstra, Canadian Solar Solutions Inc., dated October 2, 2012, 10:02am, copied to Lynda Mulcahy, MOE, RE: New Liskeard LF waste amendment*
9. *Letter dated November 19, 2013, from G. Douglas Walsh, CET, Director of Public Works, The City of Temiskaming Shores, to Dickson Odame-Osafo, MOE Waste Unit, Senior Waste Engineer, Re: Application for Approval of WDS Closure Plan-ECA A571, Notice No. 3 for the New Liskeard Landfill Site.*
10. *Environmental Compliance Approval Application dated January 26, 2021 and signed by Steve Burnett, including the attached supporting documentation.*
11. *Design & Operations Plan and Closure Plan, Wood Environment & Infrastructures Solutions, February 12, 2020.*
12. *Surface and Groundwater Monitoring Program, Wood Environment & Infrastructure Solutions, November 24, 2020.*
13. *Appendix A: ECA Pre-submission Review Email, dated December 1, 2020, enclosed with Environmental Compliance Approval Application dated January 26, 2021.*
14. *Appendix B: Site Plan and Scaled Area Location Plan, Figures 1 to 6, Wood Environment & Infrastructure Solutions, September 2020.*
15. *Appendix C: Location Plans, Figures 1 to 3, Wood Environment & Infrastructure Solutions, September 2020.*
16. *Appendix D: Proof of Compliance with EAA – Notice of Approval, dated April 01, 2019, enclosed with Environmental Compliance Approval Application dated January 26, 2021.*
17. *Appendix E: Municipal Zoning Letter, dated January 20, 2021.*

18. *Appendix F: Zoning Map (Figure 5.21), February 2018, enclosed with Environmental Compliance Approval Application dated January 26, 2021.*
19. *Appendix I: New Waste Management Capacity Environmental Study Report, Technical Support Document: Hydrogeology, Amec Foster Wheeler Environment & Infrastructure, August 2016, provided with Environmental Compliance Approval Application dated January 26, 2021.*
20. *Appendix J. ECA: Open House Summary of First Nations Letters. AMEC Environment & Infrastructure, February 2013. enclosed with Environmental Compliance Approval Application dated January 26, 2021.*
21. *Email from Brain Grant to Abdul Quayum, P. Eng., dated November 26, 2021, including enclosed updated Figure 6 - Proposed Top of Cap Contours for Landfill Expansion.*