

**RENEWABLE ENERGY APPROVAL**NUMBER 6428-8LGLBH  
Issue Date: March 26, 2012

Woolwich Bio-En Inc.  
4 Arthur St N  
Post Office Box, No. 130  
Elmira, Ontario  
N3B 3A2

Project: Woolwich Bio-En Inc.  
Location: 40 Martin's Lane, Lot 18 and 89, Part 9, Ref. Plan 58R-14363, Elmira  
Woolwich Township, Regional Municipality of Waterloo

*You have applied in accordance with Section 47.4 of the Environmental Protection Act for approval to engage in a renewable energy project in respect of a Class 3 anaerobic digestion facility consisting of the following:*

- the construction, installation, operation, use and retiring of:
  - (a) a 1.55-hectare Class 3 anaerobic digestion facility, to process 70,000 tonnes of Biomass per year to generate 2,852 kilowatts of electricity ( $\text{kW}_{\text{el}}$ ) and 3,020 kilowatts ( $\text{kW}_{\text{therm}}$ ) of thermal power and consisting of the following processes and support units:
    - (i) receipt, mixing, pre-treatment and storage in storage tanks of Biomass;
    - (ii) anaerobic treatment of the pre-treated and mixed Biomass;
    - (iii) electricity and thermal energy generation from the combustion of biogas produced by the anaerobic treatment of the Biomass; and
    - (iv) production of fertilizers from the digestate produced by the anaerobic treatment of the Biomass;

to be used for processing of the Biomass;

Note: Use of the Facility for any other type of waste is not permitted under this Approval, and requires obtaining a separate approval to amend this Approval.

- (b) two (2) identical biogas fired reciprocating engine generators, each rated at 1,426 kilowatts (kW) generating output capacity, with a total nameplate capacity of 2,852 kW, exhausting to the atmosphere at a maximum volumetric flow rate of 4.36 actual cubic metres per second at an approximate temperature of 470 degrees Celsius, through identical stacks (S-1A and S1-B) each stack having an exit diameter of 0.3 metres, extending 5.95 metres above the roof and 12 metres above the grade;
- (c) one (1) flare, to be used as backup for the biogas fired reciprocating engine generators, combusting treated biogas, exhausting to the atmosphere at a maximum volumetric flow rate of 4.17 cubic metres per second at an approximate temperature of 850 degrees Celsius, through a stack having an exit diameter of 0.5 metres and extending 8 metres above the grade;
- (d) one (1) Biofilter, to treat air from the delivery and storage operations, exhausting to the atmosphere at a maximum volumetric flow rate of 5.56 cubic metres per second at an ambient temperature, through a stack having an exit diameter of 0.54 metres and extending 14 metres above the roof and 28 metres above the grade; and
- (e) one (1) natural gas fired boiler, to be used during start up operations, rated at 2.4 million BTU/hr thermal input, exhausting through stack S-1A which services one of the biogas fired reciprocating engine generators,

all in accordance with the application for a Renewable Energy Approval dated February 3, 2011, and signed by D. Charles Martin, President, Woolwich Bio-En Inc., and all supporting documentation submitted with the application, including amended documentation submitted up to **February 27, 2012**.

*For the purpose of this renewable energy approval, the following definitions apply:*

1. "Acoustic Audit" means an investigative procedure consisting of measurements and/or acoustic modelling of all sources of noise emissions due to the operation of the Facility, assessed to determine compliance with the Noise Performance Conditions set out in this Approval;
2. "Acoustic Audit Report" means a report presenting the results of an Acoustic Audit;
3. "Acoustical Consultant" means a person currently active in the field of environmental acoustics and noise/vibration control, who is knowledgeable about Ministry noise guidelines and procedures and has a combination of formal university education, training and experience necessary to assess noise emissions from anaerobic digestion facilities;
4. "Act" means the *Environmental Protection Act*, R.S.O 1990, c.E.19, as amended;
5. "Adverse Effect" has the same meaning as in the Act;
6. "Agricultural Source Materials" or "ASM" has the same meaning as in O. Reg. 267/03;

7. "Application" means the application for a Renewable Energy Approval dated February 3, 2011, and signed by D. Charles Martin, President, Woolwich Bio-En Inc., and all supporting documentation submitted with the application, including amended documentation submitted up to **February 27, 2012**;
8. "Approval" means this Renewable Energy Approval issued in accordance with Section 47.4 of the Act, including any schedules to it;
9. "Biofilter" means a fully enclosed inorganic media biofilter with 1.83 metres media depth, empty bed residence time of approximately 34 seconds, down flow design in the top layers of the filter media, which can be accessed without having to remove all the filter media, and automated controls compatible with the Facility SCADA system, exhausting through a single stack;
10. "Biomass" means solid or liquid organic waste derived from plants or animals, all readily biodegradable, and as further described in Condition 46(2) of this Approval;
11. "CFIA" means the Canadian Food Inspection Agency;
12. "Commissioning Date" means the day which is one month after the day waste is first received at the Facility;
13. "Company" means Woolwich Bio-En Inc. and its successors and assignees;
14. "Date of Construction" means the day on which construction or installation of the Facility began;
15. "DAF" means organic solids skimmed from dissolved air floatation (DAF) systems from wastewater for the production of animal or plant-based materials, or from the production of any other food for human or animal consumption;
16. "Design and Operations Report" means the report included in the Application and entitled Design and Operations Report, prepared by Conestoga-Rovers & Associates, dated December 2011;
17. "Director" means a person appointed in writing by the Minister of the Environment pursuant to section 5 of the Act as a Director for the purposes of section 47.5 of the Act;
18. "District Manager" means the District Manager of the appropriate local district office of the Ministry where the Facility is geographically located;
19. "Double-door Airlock System" means a chamber with two airtight doors in series which do not open simultaneously for entering trucks carrying the Biomass into the Process Building;

20. "Facility" means the renewable energy generation facility, and approved waste storage and processing areas located at 40 Martin's Lane, Township of Woolwich, Regional Municipality of Waterloo, Ontario, as described in this Approval and as further described in the Application, to the extent approved by this Approval;
21. "Fertilizer" means any substance or mixture of substances containing nitrogen, phosphorus, potassium or other plant food, that is manufactured, sold or represented for use as a plant nutrient, as defined in the *Fertilizers Act* ;
22. "*Fertilizers Act* " means the *Fertilizers Act* , R.S., 1985, c-F-10, as amended;
23. "FOG" means fats, oils and grease (FOG), of plant and animal origin, and accompanying food residuals collected from grease interceptors and/or grease traps at food production, food processing and/or food wholesale and retail facilities;
24. "Independent Acoustical Consultant" means an Acoustical Consultant who is not representing the Company and was not involved in preparing the Noise Report or the design/implementation of Noise Control Measures for the Facility. The Independent Acoustical Consultant shall not be retained by the Acoustical Consultant involved in the noise impact assessment or the design/implementation of Noise Control Measures for the Facility;
25. "Liquid Digestate" means the liquid portion of the anaerobically digested (processed) Biomass at the Facility;
26. "Ministry" means the ministry of the government of Ontario responsible for the Act, NMA, OWRA, PA, and SDWA, and includes all officials, employees or other persons acting on its behalf;
27. "NASM" or "Non-agricultural Source Material" has the same meaning as in O. Reg. 267/03;
28. "NMA" means the *Nutrient Management Act, 2002* , S.O. 2002, c. 4, as amended;
29. "Noise Control Measures" means measures to reduce the noise emissions from the Facility including, but not limited to, silencers, acoustic louvres, enclosures, absorptive treatment, plenums and barriers, as further described in the Application, the Noise Report and Schedule B of this Approval;
30. "Noise Report" means the report included in the Application and entitled Acoustic Assessment Report, prepared by Conestoga-Rovers Associates, dated November 2011;
31. "Odour Receptor" has the same meaning as in O. Reg. 359/09;
32. "O. Reg. 267/03" means Ontario Regulation 267/03 "General" made under the NMA;

33. "O. Reg. 359/09" means Ontario Regulation 359/09 "Renewable Energy Approvals under Part V.0.1 of the Act" made under the Act;
34. "OWRA" means the Ontario Water Resources Act, R.S.O. 1990, c. O.40, as amended;
35. "PA" means the *Pesticides Act*, R.S.O. 1990, c. P-11, as amended;
36. "Point of Impingement" has the same meaning as in Ontario Regulation 419/05 "Air Pollution – Local Air Quality" made under the Act;
37. "Pre-Test Information" means the information outlined in Section 1 of the Source Testing Code;
38. "Process Building" means the building within the Facility where liquid and solid Biomass is received, mixed, stored, and pre-processed, prior to transfer to the pretreatment tanks and subsequently the main anaerobic digestion tanks, as shown in Figure 3A of the Design and Operations Report;
39. "Processed Material" means Biomass that has undergone processing as approved under this Approval but has not met the criteria to be considered a Fertilizer and therefore is considered Processed Organic Waste or NASM;
40. "Processed Organic Waste" has the same meaning as in Reg. 347;
41. "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 Act, Section 17 of the PA, Section 4 of the NMA, or Section 8 of the SDWA;
42. "Publication NPC-103" means the Ministry Publication NPC-103, "Procedures", August 1978;
43. "Publication NPC-205" means the Ministry Publication NPC-205 "Sound level Limits for Stationary Sources in Class 1 & 2 Areas (Urban)", October 1995, or its successor document;
44. "Publication NPC-233" means the Ministry Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October 1995;
45. "Reg. 347" means Regulation 347 "General - Waste Management", R.R.O. 1990, made under the Act;
46. "Rejected Waste" means the incoming Biomass received at the Facility that does not meet the incoming waste quality criteria set out in this Approval or which cannot be anaerobically digested;
47. "Residual Waste" means waste resulting from the storage and/or processing of the Biomass at the Facility and which cannot be anaerobically digested and is destined for final disposal;

48. "SDWA" means *Safe Drinking Water Act, 2002* , S.O. 2002, c. 32, as amended;
49. "Solid Digestate" means the solid portion of the anaerobically digested (processed) Biomass at the Facility;
50. "Source Separated Organics" or "SSO" has the same meaning as in Ontario Regulation 160/99 "Definitions and Exemptions" made under the *Electricity Act, 1998* ;
51. "Source Testing" means sampling and testing to measure odour emissions and Sulphur Compounds as required under this Approval from the Biofilter under process conditions which represent a maximum operating range within the approved operating range of the Facility;
52. "Source Testing Code" means the Source Testing Code, Version 2, Report No. ARB-66-80, dated November 1980, prepared by the Ministry, as amended from time to time;
53. "SRM" means waste that includes, at a minimum, but is not limited to, (a) the skull, brain, trigeminal ganglia, tonsils, spinal cord, and dorsal root ganglia of cattle aged 30 months or older; and (b) the distal ileum of cattle of all ages. SRM may also include other additional materials as defined by the federal Health of Animals Regulations, C.R.C. c. 296, as amended;
54. "Substantiated Complaint" means a complaint received either by the Company or the District Manager that has been confirmed by the Ministry, the cause of which is attributed to the Company's activities at the Facility;
55. "Sulphur Compounds" means hydrogen sulphide, methyl mercaptan, ethyl mercaptan, n-propyl mercaptan, t-butyl mercaptan, thiophene, dimethyl sulphide and dimethyl disulphide;
56. "Trained Personnel" means persons knowledgeable in the following through instruction and/or 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. record keeping procedures;
  - vi. emergency response procedures;
  - vii. specific written procedures for the control of Adverse Effects from the Facility;
  - viii. specific written procedures for refusal of unacceptable waste loads; and
  - ix. the requirements of this Approval.

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

### **TERMS AND CONDITIONS**

1. The Company shall construct, install, use, operate, maintain and retire the Facility in accordance with the terms and conditions of this Approval and the Application.
2. The Company shall ensure a copy of this Approval is:
  - (1) accessible, at all times, by Company staff operating the Facility and;
  - (2) submitted to the clerk of each local municipality and upper-tier municipality in which the Facility is situated along with the Application.
3. If the Company has a publicly accessible website, the Company shall ensure that the Approval and the Application are posted on the Company's publicly accessible website within five (5) business days of receiving this Approval.
4. The Company shall provide the District Manager and the Director at least ten (10) days written notice of the following:
  - (1) the commencement of any construction or installation activities at the project location; and
  - (2) the commencement of the operation of the Facility.
5. The Company 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 Facility is notified of this Approval and the conditions herein and shall take all reasonable measures to ensure any such person complies with the same.
6. Any person authorized to carry out work on or operate any aspect of the Facility shall comply with the conditions of this Approval.

### ***Interpretation***

7. Where there is a conflict between a provision of this Approval and any document submitted by the Company, the conditions in this Approval shall take precedence. Where there is a conflict between one or more of the documents submitted by the Company, the document bearing the most recent date shall take precedence.
8. The requirements of this Approval are severable. If any requirement of this Approval, or the application of any requirement of this Approval to any circumstance, is held invalid or unenforceable, the application of such requirement to other circumstances and the remainder of this Approval shall not be affected thereby.

### ***Other Legal Obligations***

9. The issuance of, and compliance with the conditions of this Approval does not:
  - (1) relieve any person of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement; or

- (2) limit in any way the authority of the Ministry to require certain steps be taken or to require the Company to furnish any further information related to compliance with this Approval.

### ***Adverse Effects***

10. The Facility shall be constructed, installed, used, operated, maintained, and retired in a manner which ensures the health and safety of all persons and does not cause an Adverse Effects.
11. The Company shall take steps to minimize and ameliorate any Adverse Effect resulting from the operations at the Facility, including such accelerated or additional monitoring as may be necessary to determine the nature and extent of the Adverse Effect.
12. Despite the Company 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.
13. If at any time odour, pests, litter, dust, noise or other such negative effects are generated at the Facility and cause an Adverse Effect, the Company shall take immediate appropriate remedial action that may be necessary to alleviate the Adverse Effect, including suspension of all waste management activities if necessary, and installation of a Double-door Airlock System if a Substantiated Complaint is validated.

### ***Change of Ownership***

14. The Company 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 of the following changes:
  - (1) the ownership of the Facility;
  - (2) the operator of the Facility;
  - (3) the address of the Company;
  - (4) the partners, where the Company 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, as amended, shall be included in the notification;
  - (5) the name of the corporation where the Company 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, as amended, shall be included in the notification.
15. (1) No portion of this Facility shall be transferred or encumbered prior to or after closing of the Facility unless the Company or its successor has deposited with the Ministry sufficient financial assurance for the Director to be satisfied that the conditions of this Approval will be complied with.



- (2) In the event of any change in ownership of the Facility, other than a change to a successor municipality, the Company shall notify the successor of and provide the successor with a copy of this Approval, and the Company shall provide a copy of the notification to the District Manager and the Director.

### ***Inspections by the Ministry***

16. No person shall hinder or obstruct a Provincial Officer from carrying out any and all inspections authorized by the OWRA, the Act, the PA, the SDWA or the NMA of any place to which this Approval relates, and without limiting the foregoing:
  - (1) to enter upon the premises where the approved processing is undertaken, or the location where the records required by the conditions of this Approval are kept;
  - (2) to have access to, inspect, and copy any records required to be kept by the conditions of this Approval;
  - (3) to inspect the Facility, related equipment and appurtenances;
  - (4) to inspect the practices, procedures, or operations required by the conditions of this Approval;
  - (5) to conduct interviews with staff, contractors, agents and assignees of the Company; and
  - (6) to sample and monitor for the purposes of assessing compliance with the terms and conditions of this Approval or the Act, the OWRA, the PA, the SDWA or the NMA.

### ***Information***

17. Any information requested by the Ministry, concerning the operation of the Facility and its operation under this Approval, including but not limited to any records required to be kept by this Approval, manuals, plans, records, data, procedures and supporting documentation shall be provided to the Ministry, immediately upon request.
18. 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:
  - (1) 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
  - (2) acceptance by the Ministry of the information's completeness or accuracy.
19. The Company shall ensure that a copy of this Approval, in its entirety and including all its notices of amendment, and the Application, are retained at the Facility at all times.

### ***Decommissioning and Closure***

20. The Company shall, at least six (6) months prior to the anticipated retirement date of the entire Facility, or part of the Facility, review its Decommissioning Plan Report to ensure that it is still accurate. If the Company determines that the Facility cannot be decommissioned in accordance with the Decommissioning Plan Report, the Company shall provide the Director and District Manager a written description of plans for the decommissioning of the Facility.
21. The Facility shall be retired in accordance with the Decommissioning Plan Report and any directions provided by the Director or District Manager.
22. Within ten (10) days after closure of the Facility, the Company shall notify the Director and District Manager, in writing, that the Facility is closed and that the Facility Decommissioning Plan Report has been implemented.

### **EXPIRY OF APPROVAL**

23. Construction and installation of the Facility must be completed within three (3) years of the later of:
  - (1) the date this Approval is issued; or
  - (2) if there is a hearing or other litigation in respect of the issuance of this Approval, the date that this hearing or litigation is disposed of, including all appeals.
24. This Approval ceases to apply in respect of any portion of the Facility not constructed or installed before the later of the dates identified in Condition 23.

### **CONSTRUCTION OF FACILITY**

25. Prior to the construction or installation of the three (3) pre-treatment tanks, one (1) wastewater processing tank, two (2) main digester tanks, and one (1) repository tank, the Company shall:
  - (1) submit a written report to the Director verifying that the three (3) pre-treatment tanks, one (1) wastewater processing tank, two (2) main digestion tanks, and one (1) secondary digester and repository tank will meet the requirements of, and be constructed in accordance with, section 65 of O. Reg. 267/03; and
  - (2) obtain written confirmation from the Director verifying that the Director is satisfied with the report prepared under Condition 25(1).

### **WATER TAKING**

26. The Company shall not take more than 50,000 litres of water on any day by any means during the construction, installation, use, operation, maintenance, and retiring of the Facility.

### **ARCHAEOLOGICAL RESOURCES**

27. If archaeological resources are discovered, the Company shall immediately contact any authorities it is legally obligated to contact, and shall notify the Director as soon as reasonably possible.

## **AIR AND NOISE**

### **ODOUR PERFORMANCE LIMITS**

28. The Company shall ensure that the maximum 10-minute average concentration of odour measured at the most impacted Odour Receptor, computed in accordance with Schedule C of this Approval, resulting from the operation of the Facility, including fugitive odour emissions, shall not exceed 1.0 odour unit under all atmospheric conditions.

### **BIOFILTER, FLARE, AND NEGATIVE PRESSURE MONITORING**

29. The Company shall monitor the physical parameters for both cells in the Biofilter as follows:
- (1) process air flow through each cell shall be monitored daily;
  - (2) differential pressure across the media bed in each cell shall be monitored daily;
  - (3) media temperature in each cell shall be monitored daily;
  - (4) inlet air temperature (after humidification chamber) shall be monitored daily;
  - (5) process air relative humidity (after humidification chamber via hand-held device) shall be monitored daily;
  - (6) water flow of both the humidification water (humidification chamber) and the media irrigation water shall be monitored daily;
  - (7) pH of media in each cell shall be monitored on a quarterly basis during the first two (2) years of the operation of the Facility; and
  - (8) ammonia in the main air duct discharging into both cells shall be monitored five times per week during the first six (6) months of the operation of the Facility.
30. The Company shall notify the District Manager, in writing, of the completion of pH and ammonia monitoring under Conditions 29(7) and 29(8) within fifteen (15) days of the completion of monitoring.
31. The Company shall continuously monitor the negative pressure in the following two (2) areas located in the Process Building, the areas consists of:
- (1) solids receiving, liquids receiving, solid organics preprocessing and mixing unit, contrary bin storage, pump room, receiving pit and liquid organics mixing unit; and
  - (2) solids/liquid separator and solids removal.

### **SOURCE TESTING**

32. The Company shall submit to the District Manager, no later than three (3) months from the

Date of Construction, a test protocol including the Pre-Test Information for the Source Testing required by the Source Testing Code.

33. Following the acceptance of the test protocol by the District Manager, in writing, the Company shall complete the Source Testing no later than six (6) months after the Commissioning Date, or as directed by the District Manager, in writing.
34. The Company shall notify the District Manager, in writing, of the location, date and time of any impending Source Testing, at least fifteen (15) days prior to the Source Testing.
35. The Company shall submit a report of the results of the Source Testing to the District Manager and the Director no later than two (2) months after completing the Source Testing. The report shall be in the format described in the Source Testing Code, and shall include, but not be limited to, the following:
  - (1) an executive summary;
  - (2) an updated odour emission inventory;
  - (3) records of weather conditions such as ambient temperature and relative humidity, all operating conditions of the Facility including hourly processing rate of the material and volumetric flow rate to the Biofilter;
  - (4) the results of dispersion calculations taking into account odour emissions, indicating the maximum 10-minute average concentration for odour at the Point of Impingement and at the most impacted Odour Receptor computed in accordance with Schedule C of this Approval; and
  - (5) the results of dispersion calculations of Sulphur Compounds at the Point of Impingement.
36. If the results of the Source Testing indicate that the odour performance limit set out in Condition 28 has been exceeded, the Company shall submit a work plan and schedule to the District Manager and the Director, within ninety (90) days of submitting the report of the results of the Source Testing, describing how the Company proposes to mitigate odour impact at the most impacted Odour Receptor and how the Company proposes to meet the odour performance limit set out in Condition 28. The work plan and schedule shall include at a minimum the following:
  - (1) an identification, characterization and ranking in terms of the potential for community odour impact of each of the odour sources, including, but not limited to, point sources and fugitive sources at the Facility;
  - (2) an analysis and assessment of available control technologies, and operational and maintenance actions/modifications, in terms of their potential to mitigate odour impact from the Facility so that the Facility meets the odour performance limit set out in Condition 28;
  - (3) a control plan describing how odour impact from the Facility will be mitigated so that the Facility meets the odour performance limit set out in Condition 28; and
  - (4) an implementation schedule for the control plan.

37. The Company shall obtain the approval of the Director and District Manager, in writing, prior to implementing the work plan and schedule described in Condition 36.

## **NOISE PERFORMANCE CONDITIONS**

38. The Company shall ensure that the noise emissions from the Facility comply with the sound level limits set in Publication NPC-205, as applicable.
39. The Company shall ensure that:
- (1) there are no more than twenty (20) truck movements per hour, i.e., ten (10) trucks entering and exiting, within the Facility at any time during the period of 07:00 to 19:00 hours;
  - (2) there are no more than two (2) truck movements per hour, i.e., one (1) truck entering and exiting, within the Facility at any time during the period of 06:00 to 07:00 hours and 19:00 to 23:00 hours; and
  - (3) there are no more than eighty (80) truck movements per day, i.e., forty (40) truck entering and exiting, within the Facility at any time during the period of 06:00 to 23:00 hours.
40. The Company shall ensure that all of the Noise Control Measures are fully implemented prior to the Commissioning Date.

## **ACOUSTIC AUDIT**

41. The Company shall carry out an Acoustic Audit in accordance with the procedures set out in Publication NPC-103, and shall submit to the District Manager and the Director an Acoustic Audit Report prepared by an Independent Acoustical Consultant in accordance with the requirements of Publication NPC-233, no later than three (3) months after the Commissioning Date.

## **BIOMASS MANAGEMENT**

### **GENERAL**

#### ***Build in Accordance***

42. (1) Except as otherwise provided by this Approval, the Facility shall be designed, developed, built, operated and maintained in accordance with the Application.
- (2) (i) Any design optimization or modification that is inconsistent with the conceptual design set out in the Application shall be clearly identified, along with an explanation of the reasons for the change, and submitted to the Director for approval and a copy to the District Manager.

- ii. No construction of the three (3) pre-treatment tanks, one (1) wastewater processing tank, two (2) main digester tanks, and one (1) repository tank, shall commence prior to the Director approving, in writing, the final conceptual design of these tanks.

### ***As-built Drawings***

43. Within ninety (90) days of the Commissioning Date, a set of as-built drawings showing the Facility, as constructed, shall be prepared. The drawings shall be kept up-to-date through periodic revisions and shall be retained at the Facility. An amendment to this Approval shall be sought for changes to the as-built drawings requiring approval.

### ***Financial Assurance***

44. (1) At least thirty (30) days prior to the Date of Construction the Company shall submit to the Director, financial assurance, as defined in Section 131 of the Act, for the amount of \$245,151.25. This financial assurance shall be in a form acceptable to the Director and shall provide sufficient funds for the transportation, Facility clean-up, and disposal, of all quantities of waste at the Facility at any one time. No Biomass shall be received at the Facility unless the acceptable Financial Assurance has been submitted to the Ministry and approved by the Director.
- (2) Commencing on March 31, 2015 and at intervals of three (3) years thereafter, the Company shall submit to the Director, a re-evaluation of the amount of financial assurance to implement the actions required under Condition 44(1). The re-evaluation shall include an assessment based on any new information relating to the environmental conditions of the Facility and shall include the costs of additional monitoring and/or implementation of contingency plans required by the Director upon review of the closure plan and annual reports. The financial assurance must be submitted to the Director within thirty (30) days of written acceptance of the re-evaluation by the Director.
- (3) Commencing on March 31, 2014, the Company shall prepare and maintain at the Facility an updated re-evaluation of the amount of financial assurance required to implement the actions required under Condition 44(1) for each of the intervening years in which a re-evaluation is not required to be submitted to the Director under Condition 44(2). The re-evaluation shall be made available to the Ministry upon request.
- (4) The amount of financial assurance is subject to review at any time by the Director and may be amended at his/her discretion. If any financial assurance is scheduled to expire or notice is received, indicating financial assurance will not be renewed, and satisfactory methods have not been made to replace the financial assurance at least sixty (60) days before the financial assurance terminates, the financial assurance shall forthwith be replaced by cash.

### ***Complaints Response Procedure***

45. If at any time, the Company receives any complaints from the public regarding the operation of the Facility, the Company shall respond to these complaints according to the following procedures:

Step 1: Receipt of Complaint

- (1) The Company shall record each complaint in an electronic tracking system. The information recorded shall include the following:
- i. name, address and the telephone number of the complainant, if known;
  - ii. time and date of the complaint; and
  - iii. details of the complaint.

Step 2: Investigation of Complaint

- (2) After the complaint has been recorded in the tracking system, the Company shall, as soon as practicably possible but not later than one (1) business day after the receipt of the complaint, notify either by phone or in writing the District Manager of the receipt of the complaint. The Company shall also immediately initiate investigation of the complaint. The investigation shall include, as a minimum, the following:
- i. determination of the waste management activities undertaken in the Facility at the time of the complaint;
  - ii. meteorological conditions including, but not limited to, the ambient temperature, approximate wind speed and its direction, sunny versus cloudy, inversion versus clear and windy, etc. at the time of the complaint;
  - iii. determination of the possible cause(s) of the complaint; and
  - iv. determination, in collaboration with the District Manager, if the complaint is a Substantiated Complaint.
- (3) The Company shall forward a formal reply to the complainant, if known and to the District Manager within three (3) business days after the receipt of the complaint. The response shall include the results of the investigation of the complaint, the action(s) taken or planned to be taken to address the cause(s) of the complaint, and if follow-up response would be provided.

All of the information collected and actions taken in this step must be recorded in the tracking system.

Step 3: Substantiated Complaint Handling

- (4) If the complaint is a Substantiated Complaint, the Company shall take appropriate steps and actions to remediate the cause(s) of the complaint. The Company shall keep the District Manager informed on the planned and remedial actions taken and the results of the remedial actions.

- (5) Upon successful resolution of the Substantiated Complaint, the Company shall, within three (3) business days, submit a report to the District Manager on that Substantiated Complaint, and all proposed actions to prevent recurrence of the Substantiated Complaint in the future.

All of the information collected and actions taken in this step must be recorded in the tracking system.

Step 4: Suspension of Operation

- (6) If the Substantiated Complaint is not resolved to the satisfaction of the District Manager, the Company shall, upon written instructions from the District Manager,
  - i. suspend the receipt of the Biomass at the Facility and/or suspend operations in accordance with the Emergency Response and Contingency Plan required by Condition 57; and
  - ii. install a Double-door Airlock System at the Facility.

**SERVICE AREA, APPROVED WASTE TYPES, RATES & STORAGE**

*Service Area & Waste Types*

46. (1) The service area for the Facility is Canada and the United States of America.
- (2) The operation of this Facility is limited to receipt and processing of the following types of Biomass:

Organic waste from food processing facilities, grocery stores, food distribution companies, bakeries, confectionary processing facilities, dairies and facilities that process dairy products, fruit and vegetable processing facilities, cereal and grain processing facilities, oil seed processing facilities, snack food processing facilities, snack food manufacturing facilities, breweries and distillers grain, wineries, alcoholic and non-alcoholic beverage manufacturing facilities, fruit and vegetable packing facilities, milling facilities, kitchen organic material, livestock, aquaculture, and paunch manure, glycerol and by-products from ethanol, biodiesel, breweries, and distillery plants, FOG, renewable energy crops (i.e., corn silage), herbaceous plant material from greenhouse, nurseries, garden centers & flower shops, and aquatic plants, DAF, spent grain soluble (SGS) from ethanol, breweries and distillers plant, and SSO.

The Biomass may be received as a liquid or a solid of varying composition of the following categories:

- (a) Category A Biomass comprised of mainly lipids and proteins that have an acidic pH and a complex molecular structure;
- (b) Category B Biomass comprised of heterogeneous organic waste that typically have an acidic pH and a simple molecular structure;



- (c) Category C Biomass comprised of organic wastes that typically have a neutral to slightly alkaline pH.
- (3) The Company shall not accept at the Facility any waste that is classified as hazardous waste in accordance with Reg. 347 and any waste that is classified as SRM.
- (4) Biomass rates, receipt rates, and waste storage:
  - (a) The total amount of Biomass approved to be accepted at the Facility shall not exceed 70,000 tonnes per year. This amount excludes the amount required for the initial start up of the Facility and any restart that may results from shutting down the operations. The amount required for the initial start up of the Facility for the first time and each restart shall not exceed 7,000 tonnes.
  - (b) The total amount of Biomass approved to be accepted at the Facility shall not exceed 225 tonnes per day, averaged annually. The maximum amount of Biomass permitted to be accepted at the Facility shall not exceed 750 tonnes per day.
  - (c) Biomass approved to be stored at the Facility is subject to the following limitations:
    - i. No more than 850 cubic metres of Categories A, B, and C shall be stored at the following tanks and the solid receiving pit, within the confines of the Process Building, at any one time:
      - 1. Four (4) liquid feedstock tanks each with the maximum capacity of 175 cubic metres for a total of 700 cubic metres ( $4 \times 175 = 700$  cubic metres);
      - 2. One (1) glycerin tank with the maximum capacity of 20 cubic metres; and
      - 3. One (1) covered receiving pit with the maximum capacity of 130 cubic metres.
    - ii. No more than 1,410 cubic metres of Biomass being processed shall be contained within three pre-treatment tanks, each tank with the maximum capacity of 470 cubic metres ( $3 \times 470 = 1,410$ );
    - iii. No more than 6,340 cubic metres of Biomass being processed shall be contained within two main digester tanks (no more than 3,170 cubic metres within each tank); and
    - iv. No more than 4,310 cubic metres of Biomass being processed shall be contained within the secondary digester and repository tank.
- (5) The solid Residual Waste storage at the Facility is subject to the following limitations:
  - (a) no more than 40 tonnes of solid Residual Waste shall be stored at the Facility at any one time;
  - (b) solid Residual Waste shall be stored in two (2) 40 tonne containers located in the contrary bin storage area within the confines of the Process Building.

- (6) No Biomass shall be stored on the floor of the Process Building at any time.
- (7) No outside waste storage is permitted under this Approval.
- (8) The Company shall ensure that all waste storage and the Process Building exhausts at all times into the appropriate air pollution equipment approved under this Approval and is undertaken in a manner that does not cause an Adverse Effect or a hazard to the environment or any person.
- (9) In the event that Biomass cannot be processed at the Facility and the Facility is at its approved waste storage capacity, the Company shall cease accepting additional waste. Receipt of additional Biomass may be resumed once such receipt complies with the waste storage limits approved in this Approval.

## **SIGNS**

47. (1) Prior to receipt of waste at the Facility, the Company shall ensure that a sign is posted at the entrance to the Facility. The sign shall be visible from the main road leading to the Facility. The following information shall be included on the sign:
  - (a) name of the Company;
  - (b) this Approval number;
  - (c) hours during which the Facility is open;
  - (d) waste types that are approved to be accepted at the Facility;
  - (e) Company's telephone number (a hotline) to which complaints may be directed;
  - (f) Company's twenty-four hour emergency telephone number (if different from above);
  - (g) a warning against unauthorized access;
  - (h) a warning against dumping at the Facility.
- (2) The Company shall ensure that appropriate signs are posted at the Facility clearly identifying the waste and stating warnings about the nature of the waste and any possible hazards.

## **FACILITY SECURITY**

48. (1) All unloading and loading of waste and all waste processing at the Facility shall at all times be undertaken by Trained Personnel.
- (2) The Company shall ensure that access to the Facility is regulated and that all entrances are secured by lockable gates to restrict access only to authorized personnel when the Facility is not open.
- (3) The Company shall ensure the Facility is operated in a safe and secure manner, and that waste is properly handled, packaged or contained and stored so as not to pose any threat to the general public and the Facility personnel.

## **FACILITY OPERATIONS**

49. (1) Operating hours:

- (a) The Facility is approved to receive waste from 6 am to 11 pm, Monday to Saturday, and operate 24/7/365.

(2) Incoming waste receipt:

- (a) All loads of incoming Biomass shall be accompanied by documentation containing the results of the required waste characterization or the identification of a pre-approved generator of waste.
- (b) Trained Personnel shall inspect the required documentation prior to acceptance of the incoming Biomass at the Facility.
- (c) Biomass that has not been characterized in accordance with this Approval or that is not accompanied by the required documentation shall not be accepted at the Facility and shall immediately be directed out of the Facility.
- (d) The Company shall only accept the incoming Biomass that is delivered in vehicles that have been approved as required by the Ministry.
- (e) The Company shall ensure that all incoming Biomass is received within the confines of the Process Building.
- (f) The Company shall ensure that the solid Biomass receiving pit, as proposed in the Design and Operations Report, is equipped with a lid and that the lid is closed at all times except when the solid Biomass is being unloaded from the vehicles or during maintenance.
- (g) The Company shall ensure that sufficient storage capacity is available in the storage tanks prior to transfer of the Biomass from the Process Building.
- (h) The Company shall ensure that the Biomass levels in the storage tanks are monitored and controlled on a continuous basis and that the high level alarms are operational at all times.

(3) Rejected Waste handling:

- (a) In the event that waste that is not approved under this Approval is inadvertently accepted at the Facility, the Company shall ensure that all Rejected Waste is returned in the same truck in which it arrived at the Facility or:
  - i. stored in a way that ensures that no Adverse Effect will result from such storage;
  - ii. segregated from all other waste and stored in an enclosed container, if solid, in the contrary bin area located within the confines of the Process Building;
  - iii. handled and removed from the Facility for disposal in accordance with Reg. 347 and the Act and shall only be disposed of at a site for which an Environmental Compliance Approval has been issued by the Ministry and the site is approved to receive this type and quantity of waste; and

- iv. removed from the Facility within 72 hours of its receipt.
  - (b) In the event that Rejected Waste is inadvertently accepted at the Facility, a written record shall be made of the reason why the waste was rejected and of the origin of the waste, if known. The following information shall be included in the written record:
    - quantity and type of the Rejected Waste;
    - source of the Rejected Waste, if known;
    - reason for rejecting the waste;
    - final destination of the Rejected Waste; and
    - date of receipt and time and date of removal from the Facility.
- (4) Solid Residual Waste handling:
- (a) All Residual Waste shall be stored in an enclosed container in the contrary bin area located within the confines of the Process Building;
  - (b) The Company shall ensure that loading of the solid Residual Waste into vehicles for transportation from the Facility is conducted only after the contrary bin has been closed and sealed inside the Process Building.
  - (c) The Company shall ensure that all vehicles removing the solid Residual Waste from the Facility are hard-roofed or are properly tarped and washed, if necessary, prior to their departure from the Process Building.
  - (d) The Company shall remove the Residual Waste from the Facility as soon as the storage container is full or as directed by the District Manager.
  - (e) All waste removed from the Facility for final disposal shall only be disposed of at a site for which an Environmental Compliance Approval has been issued by the Ministry and the site is approved to receive this type and quantity of waste.
- (5) Operation of pasteurizer:
- (a) The Company shall ensure that the mixture of solid and liquid Biomass is heated to approximately 50 to 60°C in one of the pretreatment tanks over a period of twelve (12) hours and subsequently pasteurized in either of the two pretreatment tanks, as identified in Figure 3A of the Design and Operations Report, and that the pasteurization process is undertaken at a minimum temperature of 50°C for a minimum of twenty (20) hours, to ensure complete inactivation of pathogens in the Biomass.
  - (b) The temperature in the pretreatment tanks shall be monitored to verify compliance with Condition 49(5)(a).
  - (c) Condition 49(5)(a), above, does not apply to livestock manure and the Biomass used for starting up the Facility.
- (6) Processing limitations:

- (a) The Company shall ensure that no more than 1,410 cubic metres of Biomass is being processed in the three (3) pretreatment tanks at any time (each tank has a maximum capacity of 470 cubic metres);
  - (b) The Company shall ensure that no more than 6,340 cubic metres of Biomass is being anaerobically digested in the two main digester tanks at any time (each tank has a maximum capacity of 3,170 cubic metres); and
  - (c) The Company shall ensure that no more than 4,310 cubic metres of Biomass is being anaerobically digested in the secondary digester and repository tank at any time.
- (7) Odour Control:
- (a) The Company shall ensure that all unloading and pre-processing of the Biomass is undertaken entirely within the confines of the Process Building.
  - (b) The Company shall maintain and monitor a negative air pressure atmosphere within the Process Building at all times in accordance with Condition 31. In the event that adequate negative air pressure cannot be maintained, the Company shall cease accepting additional waste and shall keep the Process Building access doors and the air intake louvers closed until such time that negative pressure is re-established.
  - (c) The Company shall keep all windows and doors of the Process Building fully closed at all times, except when the doors are used for necessary personnel or entry or exit of vehicles.
  - (d) The Company shall ensure that at all times the air from the Process Building is exhausted through appropriate and fully functional air pollution control equipment approved under this Approval.
  - (e)
    - i. If in the opinion of the District Manager, the air emissions from the Facility result in odour complaint(s), the Company shall, immediately upon receipt of the written notification from the District Manager, implement additional odour control measures in accordance with the Emergency Response and Contingency Plan required by this Approval.
    - ii. If in the opinion of the District Manager, the additional odour control measures are found to be ineffective, the Company shall cease accepting additional waste and suspend processing activities at the Facility in accordance with the Emergency Response and Contingency Plan required by this Approval, until such time as the cause(s) of the odour emissions have been identified and rectified.
  - (f) The Company shall ensure that no equipment handling the Biomass or its storage containers is kept outside unless it has been washed to prevent odours.

**FACILITY INSPECTION AND MAINTENANCE**

50. (1) Prior to receipt of any waste at the Facility, the Company shall prepare a comprehensive written inspection program which includes inspections of all aspects of the Facility's operations including, as a minimum, the following:
- (a) buildings and equipment;
  - (b) Biomass unloading areas;
  - (c) Biomass storage tanks, pretreatment tanks, main digestion tanks, secondary digestion and repository tank, glycerin storage tank, and all related pumps, piping, and equipment;
  - (d) any installed air pollution control equipment;
  - (e) the humidification chamber and Biofilter cell media;
  - (f) fire reservoir;
  - (g) security measures undertaken to secure the Biomass storage and processing areas;
  - (h) outdoor Molok storage and the containment areas, including the run-off collection sumps;
  - (i) presence of leaks and drips;
  - (j) security fencing, gates, barriers and signs; and
  - (k) off-site impacts such as odour, dust, litter, etc.
- (2) The inspections are to be undertaken daily by Trained Personnel in accordance with the inspection program to ensure that all equipment, buildings, tanks, storage and processing areas at the Facility are maintained in good working order at all times and that no off-site impacts are occurring. Any deficiencies detected during these regular inspections must be promptly corrected.
- (3) The Company shall develop and implement a preventative maintenance program for all on-site equipment associated with the processing and managing of Biomass and control of noise, odour and dust emissions. The preventative maintenance program shall be maintained up-to-date and shall be available for inspection by the Ministry upon request.
- (4) The Company shall inspect the stormwater management facility at least once per year and, if necessary, clean and maintain the stormwater management facility to prevent the excessive build-up of sediments and/or vegetation.

### **BIOMASS QUALITY CRITERIA / TESTING / MONITORING**

51. (1) Quality control monitoring of incoming Biomass at the Company's Facility:
- (a) No hazardous waste, as defined in Reg. 347, shall be received at the Facility at any time.

- (b) The incoming Biomass, other than the waste exempted in Reg. 347, shall not be accepted at the Facility if the analytical requirements listed in Condition 51 have not been fulfilled or if the analysis of the Biomass as described in Condition 51(2) determines that the metal content in the Biomass exceeds the metal content limits set out in Table 1 below.

**TABLE 1**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Regulated Metal</b>	<b>Maximum metal concentration in materials that contain total solids dry weight of 10,000 milligrams or more per litre (mg/kg of total solids dry weight (wt))</b>	<b>Maximum metal concentration in materials that contain total solids dry weight of less than 10,000 milligrams per litre (mg/L)</b>
Arsenic	170	1.70
Cadmium	34	0.34
Chromium	2,800	28
Cobalt	340	3.40
Copper	1,700	17
Lead	1,100	11
Mercury	11	0.11
Molybdenum	94	0.94
Nickel	420	4.20
Selenium	34	0.34
Zinc	4,200	42

- (2) (a) The Company shall ensure that prior to acceptance of a Biomass at the Facility, representative samples of the Biomass are obtained from the proposed generator of the Biomass and analysed during the 14-day period preceding its first-time receipt at the Facility.
- (b) Subsequent sampling and analysis shall be conducted:
- i. for every 1,000 cubic metres of the Biomass to be received at the Facility or once a year, whichever comes first, provided the Biomass is of the same type and is from the same source; and
  - ii. following any process changes, operational issues or other factors that may affect the quality of Biomass from the proposed generator.
- (3) (a) The Company shall ensure that:
- i. each sample of the Biomass obtained under Condition 51(2) has been

- analysed for metals identified in Column 1 of Table 1 of this Approval, in accordance with the methods and frequencies specified in Condition 51; and
- ii. sampling and analysis of Biomass for metals is conducted in accordance with the methods specified in the Sampling and Analysis Protocol for O. Reg. 267/03.
- (b) The Company shall ensure a copy of the analysis sets out the concentration of metal in each sample of the Biomass in:
    - i. milligrams of metal per kilogram of total solids, dry weight, in case of the analysis of metals in materials that have a concentration of total solids of 10,000 milligrams or more per litre;
    - ii. milligrams of metal per litre, in the case of the analysis of regulated metals in materials that have a concentration of total solids of less than 10,000 milligrams per litre.
- (4) The analysis of samples of the incoming Biomass shall be performed by:
- (a) a laboratory that is accredited by the Ontario Ministry of Agriculture, Food and Rural Affairs for that purpose; or
  - (b) a laboratory that is accredited in accordance with the International Standard ISO/IEC 17025 — General Requirement for the Competence of Testing and Calibration Laboratories, dated December 15, 1999, as amended.
- (5) In order to resume accepting a given Biomass following previous rejection, the Company shall ensure that the analytical requirements listed in Condition 51 have been fulfilled and that at least two (2) representative samples of the said Biomass generate analytical results which, separately and consecutively, do not exceed the metal content limits set out in Table 1 of this Approval.

### ***Quality Control Monitoring of Processed Material***

52. (1) Processed Material that is not offered for sale or sold as Fertilizer in accordance with the Fertilizers Act shall be managed as either Processed Organic Waste in accordance with Part V of the Act and Reg. 347, and/or NASM in accordance with the NMA and O. Reg. 267/03.
- (2) If Processed Material is to be managed as Processed Organic Waste and/or NASM, the Company shall ensure that the sampling and analysis of the material, prior to leaving the Facility, is conducted in accordance with the methods specified in the Sampling and Analysis Protocol for O. Reg. 267/03.

### **END USE OF PROCESSED MATERIAL**



53. (1) Prior to the initial shipment of the Processed Material from the Facility, the Company shall provide to the Director and District Manager written notification from the CFIA that the Processed Material has been assessed and approved for use as Fertilizer under the *Fertilizers Act*. In addition to the written notification, the Company shall provide to the Director and District Manager the following information:
- (a) a copy of the complete application package submitted to the CFIA in support of the request to manufacture the Fertilizer;
  - (b) the specific requirements of the CFIA that must be met for the Processed Material to be considered as a Fertilizer including all process monitoring, analytical, and quality assurance / quality control requirements; and
  - (c) a copy of the approved product label.
- (2) All Processed Material shipped from the Facility as Fertilizer must be accompanied by a product label that has been approved by the CFIA.
- (3) (a) If the Processed Material is not offered for sale or sold as Fertilizer in accordance with the *Fertilizers Act*, it shall be managed as Processed Organic Waste and/or NASM in accordance with the requirements of the Act, the OWRA, the NMA and any other relevant Ministry legislation and guidelines.
- (b) Processed Material managed as Processed Organic Waste and /or NASM shall only be removed from the Facility by a hauler approved by the Ministry to transport processed organic waste.
- (c) Processed Material managed as Processed Organic Waste shall be disposed of at a Ministry approved site or a site approved to accept such waste by an equivalent jurisdiction.
- (d) If Processed Material that is managed as Processed Organic Waste is destined for application on non-agricultural land, for beneficial use, the Company shall ensure the land application meets the conditions of the Environmental Compliance Approval for the site where Processed Organic Waste is to be applied on non-agricultural land.
- (e) If Processed Material that is managed as NASM is destined for application on agricultural land, the Company shall ensure the land application of NASM meets the regulatory requirements of the NMA and O. Reg. 267/03.
- (f) If the solid Processed Material is not offered for sale, sold as Fertilizer in accordance with the *Fertilizers Act*, or managed as Processed Organic Waste and/or NASM, it may be delivered to a waste disposal site approved to receive this type of waste, where it will be used for processing (composting), all in accordance with the Environmental Compliance Approval of the site.

### **NUISANCE IMPACT CONTROL AND HOUSEKEEPING**

54. (1) The Company shall ensure that the exterior of all vehicles leaving the Facility are clear of debris and that vehicles are not leaking, dripping, or dragging waste, dirt or other contaminants out onto streets.

- (2) The Company shall ensure that the exterior of all vehicles delivering the Biomass to the Facility is cleaned and washed prior to their departure from the Facility, as appropriate.
- (3) The Company shall ensure that there is no queuing or parking of vehicles that are waiting to enter the Facility on any roadway that is not a distinct part of the Facility.
- (4) The Company shall:
  - (a) take all practical steps to prevent the escape of litter from the Facility;
  - (b) pick up litter around the Facility on a daily basis, or more frequently if necessary;  
and
  - (c) erect litter fences around the areas causing a litter problem, if necessary.
- (5) The Company shall:
  - (a) implement necessary housekeeping procedures to eliminate sources of attraction for vermin and vectors; and
  - (b) if necessary, hire a qualified, licensed pest control professional to design and implement a pest control plan for the Facility. The pest control plan shall remain in place, and be updated from time to time as necessary, until the Facility has been closed and this Approval has been revoked.
- (6) The Company shall ensure that all on-site roads and operations/yard areas are regularly swept/washed to prevent dust impacts off-site.
- (7) The Company shall regularly clean, if necessary, all equipment and storage areas that are used to handle and process the Biomass at the Facility.

## **OPERATIONS MANUAL**

55. (1) The Company shall prepare a written operations manual for use by Facility personnel. The operations manual shall contain, as a minimum, the following:
  - (a) outline the responsibilities of the Facility personnel;
  - (b) personnel training protocols;
  - (c) Biomass receiving and screening procedures;
  - (d) Biomass unloading, handling and storage procedures;
  - (e) Biomass processing and monitoring procedures;
  - (f) sampling and testing procedures;
  - (g) Facility inspections, fire, spill, upset, and leakage recording procedures;
  - (h) emergency response procedures; and
  - (i) procedures for handling complaints as described in this Approval.
- (2) The Company shall:

- (a) keep a copy of the operations manual at the Facility and accessible to Facility personnel at all times;
  - (b) update the operations manual as required; and
  - (c) make the operations manual available for review by the Ministry upon request.
- (3) The Company shall ensure that the Facility is operated in accordance with the Approval and the operations manual.
- (4) The Company shall maintain at the Facility an inventory of critical spare parts for the equipment that can be installed in the event of equipment malfunction and shall list the critical spare parts in the operations manual.

### **STAFF TRAINING**

56. (1) All operators of the Facility shall be trained with respect to the following:
- (a) terms, conditions and operating requirements of this Approval;
  - (b) operation and management of the Facility, or area(s) within the Facility, as per the specific job requirements of each individual operator, and which may include procedures for receiving, screening and identifying waste, refusal, handling, processing and temporarily storing wastes;
  - (c) an outline of the responsibilities of Facility personnel including roles and responsibilities during emergency situations;
  - (d) the Emergency Response and Contingency Plan including exit locations and evacuation routing, and location of relevant equipment available for emergency situations;
  - (e) environmental and occupational health and safety concerns pertaining to the process and wastes to be handled at the Facility;
  - (f) emergency first-aid information;
  - (g) relevant air, noise, wastewater and waste management legislation, regulations, and guidelines, including the Act and Reg. 347;
  - (h) record keeping and retention procedures, as required by this Approval;
  - (i) Facility inspection and maintenance procedures, as required by this Approval;
  - (j) nuisance impact control and housekeeping procedures, as required by this Approval;
  - (k) procedures for recording and responding to public complaints;
  - (l) specific written procedures for the control of Adverse Effects from the Facility; and
  - (m) specific written procedures for refusal of unacceptable incoming waste loads.
- (2) The Company shall ensure that all Facility personnel are trained in the requirements of this Approval relevant to the employee's position:
- (a) upon commencing employment at the Facility in a particular position; and
  - (b) whenever the Emergency Response and Contingency Plan is revised or updated.

## **EMERGENCY RESPONSE AND CONTINGENCY PLAN**

57. (1) Within six (6) months of the date of this Approval, the Company shall submit to the District Manager an Emergency Response and Contingency Plan. The Emergency Response and Contingency Plan shall be prepared in consultation with the District Manager, the local municipality, and the local fire department, and as a minimum shall include the following information:
- (a) emergency response procedures to be undertaken in the event of a spill, process upset, power failure, fire, or any other emergency situation, including specific clean up methods for wastes expected to be generated from the emergency situation;
  - (b) odour abatement plan to propose the design and operation of the contingency measures necessary to alleviate impacts from odours emitted from the Facility;
  - (c) dust abatement plan to propose the design and operation of the contingency measure to alleviate impacts from dust originating from the waste management and vehicular activities at the Facility;
  - (d) trigger mechanism for implementation of the abatement plans required by (b) and (c), above;
  - (e) a list of equipment and clean up materials available for dealing with the emergency situations;
  - (f) notification protocol with names and telephone numbers of persons to be contacted, including persons responsible for the Facility, the Ministry's District Office and Spills Action Centre, the local fire department, the local municipality, the local Medical Officer of Health, and the Ontario Ministry of Labour, and the names and telephone numbers of waste management companies available for emergency response;
  - (g) procedures and actions to be taken should the incoming Biomass not meet the quality criteria specified by this Approval;
  - (h) procedures and actions to be taken should the Processed Material fail to meet the Fertilizer quality criteria specified by the CFIA; and
  - (i) procedures and actions to be taken should the occurrence of the Substantiated Complaints require the Company to suspend the processing activities at the Facility that may include installation of a Double-door Airlock System.
- (2) No waste shall be received at the Facility for storage or processing until the District Manager provides a written concurrence to the Emergency Response and Contingency Plan required by Condition 57(1).
- (3) An up-to-date version of the Emergency Response and Contingency Plan shall be kept at the Facility at all times, in a central location available to all staff, and a copy shall be submitted to the District Manager, the local municipality and the local fire department.

- (4) The Emergency Response and Contingency Plan shall be reviewed on an annual basis and updated, if necessary. The revised version of the Emergency Response and Contingency Plan shall be submitted to the District Manager, the local municipality and the local fire department for comments and concurrence.

## **EMERGENCY SITUATIONS RESPONSE AND REPORTING**

58. (1) The Company shall immediately take all necessary measures, as outlined in the Emergency Response and Contingency Plan, to handle the emergency situations occurring at the Facility.
- (2) The Company shall ensure that the equipment and materials outlined in the Emergency Response and Contingency Plan are immediately available at the Facility at all times and are in a good state of repair and fully operational.
- (3) The Company shall ensure that all Facility personnel are fully trained in the use of the equipment and materials outlined in the Emergency Response and Contingency Plan, and in the procedures to be employed in the event of an emergency.
- (4) Should a spill, as that term is defined in the Act, occur at the Facility, in addition to fulfilling the requirements under the Act, the Company shall:
  - (a) immediately report the spill to the **Ministry's Spills Action Centre at 1-800-268-6060**;
  - (b) create a written record outlining the nature and cause of the spill, remedial measures taken, and measures taken to prevent a similar occurrence in the future; and
  - (c) provide the District Manager with the written record created under (b) within three (3) calendar days of the occurrence of the spill.

## **RECORD KEEPING AND RETENTION**

### ***Daily Activities***

59. (1) The Company shall establish and maintain an on-site written or digital record of activities undertaken at the Facility. All measurements shall be recorded in consistent metric units of measurement. The record shall include, as a minimum, the following:
  - (a) date of record;
  - (b) quantity and type of waste received at the Facility, including incoming waste analysis results;
  - (c) quantity and type of waste shipped from the Facility, including outgoing waste analysis results;
  - (d) amount of Fertilizer shipped from the Facility;
  - (e) amount of Processed Organic Waste and/or NASM shipped from the Facility;
  - (f) quantity and type of waste processed at the Facility;

- (g) quantity and type of waste stored at the Facility, including the Biomass levels in the storage tanks;
- (h) receiving site(s) and their Environmental Compliance Approval numbers, for the waste shipped from the Facility;
- (i) quantity and type of any Rejected Waste and Residual Waste;
- (j) process, odour and noise monitoring results;
- (k) housecleaning activities, including litter collection, floor washing/cleaning activities, etc.; and
- (l) all instances of fan failure such that there is no process air flow through the Biofilter and pump failure such that there is no humidification water flow in the humidification chamber of the Biofilter.

### ***Emergency Situations***

- (3) The Company shall establish and maintain an on-site written or digital record of emergency situations. The record shall include, as a minimum, the following:
  - (a) the type of emergency situation;
  - (b) description of how the emergency situation was handled;
  - (b) the type and amount of material spilled, if applicable;
  - (b) a description of how the material was cleaned up and stored, if generated; and
  - (c) the location and time of final disposal, if applicable.

### ***Inspections***

- (4) The Company shall establish and maintain an on-site written or digital record of inspections as required by this Approval. The record shall include, as a minimum, the following:
  - (a) the name and signature of the person that conducted the inspection;
  - (b) the date and time of the inspection;
  - (c) the list of any deficiencies discovered;
  - (d) the recommendations for remedial action; and
  - (e) the date, time and description of actions taken.
- (5) The Company shall establish and maintain an on-site written or digital record of the results of stormwater management facility inspections and any cleaning and maintenance operations undertaken. The record shall include the following:
  - (a) the name of the sewage works; and
  - (b) the date and results of each inspection, maintenance and cleaning, including an estimate of the quantity of sediment in the stormwater pond and of any materials removed.

### ***Training***

- (5) The Company shall establish and maintain an on-site written or digital record of training as required by this Approval. The record shall include, as a minimum, the following:
- (a) date of training;
  - (b) name and signature of person who has been trained; and
  - (c) description of the training provided.

### ***Sampling and Testing Records***

- (6) The Company shall establish and maintain a written or digital record of all sampling and testing activities at the Facility. This record shall include, as a minimum, the following information:
- (a) waste sampled, sample collection locations and volume collected;
  - (b) day and time of collection;
  - (c) sample handling procedures;
  - (d) parameters tested for and the resulting concentrations;
  - (e) name of the laboratory facility conducting the testing; and
  - (f) conclusions drawn with respect to the results of the sampling and testing.

### ***Monitoring Records***

- (7) The Company shall establish and maintain a written or digital record of all monitoring activities at the Facility as required by this Approval.

### ***Complaints Response Records***

- (8) The Company shall establish and maintain a written or digital record of any complaint alleging an Adverse Effect caused by the construction, installation, use, operation, maintenance or retirement of the Facility. The record shall include:
- (a) a description of the complaint that includes as a minimum the following:
    - (i) the date and time the complaint was made;
    - (ii) the name, address and contact information of the person who submitted the complaint;
  - (b) a description of each incident to which the complaint relates that includes as a minimum the following:
    - (i) the date and time of each incident;
    - (ii) the duration of each incident;
    - (iii) waste management activities undertaken at the time of the complaint;
    - (iv) general meteorological conditions including, but not limited to, the ambient temperature, approximate wind speed and direction, sunny versus cloudy,

- inversion versus clear and windy, at the time of each incident;
  - (v) the location of the person who submitted the complaint at the time of each incident; and
- (c) a description of the measures taken to address the cause of each incident to which the complaint relates and to prevent a similar occurrence in the future.

### ***Records Retention***

- (9) The Company shall retain, for a minimum of five (5) years from the date of their creation, all records described in Condition 59, and make these records available for review by the Ministry upon request.

### ***Annual Report***

- (10) By March 31<sup>st</sup> following the end of each operating year, the Company shall prepare and submit to the District Manager an annual report summarizing the operation of the Facility covering the previous calendar year. The annual report shall include, as a minimum, the following information:
- (a) a signed statement that the Facility was operated and maintained in compliance with the Approval;
  - (b) a monthly summary of the quality and the quantity of all incoming Biomass and outgoing Processed Organic Waste, NASM, Residual Waste and Rejected Waste, including analytical data required to characterize the waste;
  - (c) material balance for each month documenting the amount of Biomass stored at the Facility;
  - (d) a monthly summary of the quality and the quantity of the Fertilizer shipped from the Facility;
  - (e) a monthly summary of the quality and the quantity of the Processed Organic Waste and/or NASM, managed in accordance with the requirements of the EPA and/or the NMA, shipped from the Facility;
  - (f) any environmental and operational problems, that could negatively impact the environment, encountered during the operation of the Facility or during Facility inspections, and any mitigative actions taken;
  - (g) any recommendations to minimize environmental impacts from the operation of the Facility and to improve Facility operation and monitoring programs in this regard including installation of a Double-door Airlock System;
  - (h) a summary of any complaints received and follow up actions taken;
  - (i) a summary of any emergency situations that have occurred at the Facility and how they were handled;
  - (j) an update on the amount of Financial Assurance which has been provided to the Director;
  - (k) a summary of all inspections and maintenance carried out at the Facility; and
  - (l) any other information the District Manager requires from time to time.



## **WASTEWATER MANAGEMENT**

60. (1) No more than 200 cubic metres of wash water from processing waste, washing waste transport trucks, sump in the secondary containment for liquid storage tanks, sump located north of the two main digester tanks, and dewatering of solid digestate, shall be stored in the process water tank located adjacent to the first pretreatment tank shown in Figure 3A of the Design and Operations Report.
- (2) The Company shall ensure that all wastewater stored in the process water tank is either utilized in the process or discharged to the sanitary sewer or disposed of at a Ministry approved site.
- (3) The Company shall regularly empty, clean and disinfect if necessary, all sumps and the process water tank that is used to contain and collect the wastewater generated within the Facility.
- (4) The Company shall ensure that all storage and processing tanks, buildings, structures, and equipment located within the Facility are designed in accordance with the Design and Operations Report.

## **COMMUNITY LIAISON COMMITTEE**

61. Within three (3) months of receiving this Approval, the Company shall make reasonable efforts to establish a Community Liaison Committee. The Community Liaison Committee shall be a forum to exchange ideas and share concerns with interested residents and members of the public. The Community Liaison Committee shall be established by:
  - (a) publishing a notice in a newspaper with general circulation in each local municipality in which the project location is situated; and
  - (b) posting a notice on the Company's publicly accessible website, if the Company has a website;

to notify members of the public about the proposal for a Community Liaison Committee and invite residents living within a one (1) kilometer radius of the Facility that may have an interest in the Facility to participate on the Community Liaison Committee.

62. The Company may invite other members of stakeholders to participate in the Community Liaison Committee, including, but not limited to, local municipalities, local conservation authorities, Aboriginal communities, federal or provincial agencies, and local community groups.
63. The Community Liaison Committee shall consist of at least one Company representative who shall attend all meetings.
64. The purpose of the Community Liaison Committee shall be to:

- (a) act as a liaison facilitating two way communications between the Company and members of the public with respect to issues relating to the construction, installation, use, operation, maintenance and retirement of the Facility;
  - (b) provide a forum for the Company to provide regular updates on the construction, installation, use, operation, maintenance and retirement of the Facility to members of the public; and
  - (c) ensure that any issues or concerns resulting from the construction, installation, use, operation, maintenance and retirement of the Facility are discussed and communicated to the Company.
65. The Company shall provide administrative support for the Community Liaison Committee including, at a minimum:
- (a) providing a meeting space for Community Liaison Committee meetings; and
  - (b) providing access to resources, such as a photocopier, stationery, and office supplies, so that the Community Liaison Committee can:
    - (i) prepare and distribute meeting notices;
    - (ii) record and distribute minutes of each meeting; and
    - (iii) prepare reports about the Community Liaison Committee's activities.
66. The Community Liaison Committee shall be deemed to be established on the day the Director is provided with written notice from the Company that representative Community Liaison Committee members have been chosen and a date for a first Community Liaison Committee meeting has been set. The first Community Liaison Committee meeting shall be held prior to the day waste is first received at the Facility.
67. The Company shall ensure that the Community Liaison Committee operates for a minimum period of two (2) years from the day it is established. During this two (2) year period, the Company shall ensure that the Community Liaison Committee meets a minimum of two (2) times per year. At the end of this two (2) year period, the Company shall contact the Director to discuss the continued operation of the Community Liaison Committee.
68. The Company shall ensure that all Community Liaison Committee meetings are open to the general public.
69. If a Community Liaison Committee has not been established within three (3) months of the date of this Approval, the Company shall provide a written explanation to the Director as to why this has not occurred.
70. The Company shall submit any reports of the Community Liaison Committee to the Director and post it on the Company's publicly accessible website, if the Company has a website.

## **SEWAGE WORKS**

***Spill Containment Facility***

71. (1) Prior to the construction of the transformer substation, the Company shall retain an independent Professional Engineer licensed in Ontario, and familiar with electrical transformer substations and their associated sewage works, to prepare a design report on the spill containment facility for the transformer substation that shall contain the following:
- (a) final design drawings and specifications of the spill containment area and associated sewage works;
  - (b) operation and maintenance procedures for the spill containment facility including an emergency/contingency plan; and
  - (c) a monitoring program, including a groundwater monitoring program in the event of a subsurface disposal system.
- (2) The Company shall submit the design report for the spill containment facility to the Director and shall not commence the construction of the transformer substation until the Director provides written confirmation verifying that the Director is satisfied with the report prepared.
- (3) The Company shall design, construct and operate the sewage works such that the concentration of the effluent parameter named in the table below does not exceed the maximum concentration objective shown for that parameter in the effluent, and shall comply with the following requirements:

<b>Effluent Parameters</b>	<b>Maximum Concentration Objective</b>
Oil and Grease	15mg/L

- (a) notify the District Manager as soon as reasonably possible of any exceedance of the maximum concentration objective set out in the table above;
- (b) take immediate action to identify the cause of the exceedance; and
- (c) take immediate action to prevent further exceedances.

***Sanitary Sewer***

72. The Company shall construct and install one (1) 150 mm diameter sanitary sewer pipe extending approximately 312 m from the Facility to a manhole along the frontage of Martin’s Lane that is connected to an existing 150 mm diameter sanitary sewer.

***Stormwater Management Facility***

**GENERAL**

73. (1) The Company shall design, construct, install, use, operate, maintain and retire the stormwater management facility in accordance with any plans and specifications set out in this Approval and the Application.
- (2) The stormwater management facility shall include the following:
- (a) a series of grassed swales, approximately 210 meters in total length, to collect and convey surface runoff from the Facility to a 45 meter long rip rap lined swale that discharges to the wet pond described in (b) below;
  - (b) a wet extended detention pond to serve a total drainage area of approximately 1.55 hectares (ha), providing a Normal Level of Protection of downstream habitat and approximately 300 cubic meters of permanent pool storage volume and approximately 599 cubic meters of extended detention storage volume, and providing storage during major storms, together with an outlet control structure equipped with a sluice gate to attenuate peak post-development flows during major storm events to levels less than pre-development levels, complete with an emergency overflow weir, discharging to a municipal/agricultural drain that eventually discharges to Canagagigue Creek; and
  - (c) all associated controls and appurtenances.
- (3) The Company shall implement the sediment and erosion control plan during construction, installation, use, operation, maintenance and retiring of the Facility, as outlined in Section 5.6 of the report included in the Application and entitled Surface Water Assessment Report, dated December 18, 2011 and prepared by Walter Fedy Partnership, Engineers and Project Managers, and Conestoga-Rovers & Associates.

#### **Upon Completion of the Stormwater Management Facility**

- (4) Within one (1) year of the completion of the construction of the stormwater management facility, the Company shall prepare a set of as-built drawings showing the stormwater management facility “as constructed”. The Company shall keep these drawings up-to-date through periodic revisions and retain them at the Facility.

**SCHEDULE "A"**

**Supporting Documentation Specifications of CEM System**

**PARAMETER:** Temperature

**LOCATION:**

The sample point for the continuous temperature monitor shall be located at the flame of the flare.

**PERFORMANCE:**

The continuous temperature monitor shall meet the following minimum performance specifications for the following parameters.

<b>PARAMETER</b>	<b>SPECIFICATION</b>
1. Type:	shielded "K" type thermocouple or equivalent
2. Accuracy:	± 1.5 percent of the minimum gas temperature

**RECORDER:**

The recorder must be capable of registering continuously the measurement of the monitor without a significant loss of accuracy and with a time resolution of 5 minutes or better.

**RELIABILITY:**

The monitor shall be operated and maintained so that accurate data is obtained during a minimum of 90 percent of the time, on a monthly basis, when the flare is in operation.

**Schedule B**  
**Noise Control Measures**

Noise Control Measures consist of the following:

1. One (1) engine exhaust silencer for each of the two generator engines, i.e., two (2) silencers;
2. One (1) discharge silencer on each of the two air discharge openings of the engine room housing the generators, i.e., two (2) silencers;
3. One (1) intake silencer on each of the two air intake openings of the engine room housing the generators, i.e., two (2) silencers.

**Dynamic Insertion Loss (dB) of Silencers in Octave Frequency Bands**

<b>Octave band centre frequency (Hz)</b>	<b>63</b>	<b>125</b>	<b>250</b>	<b>500</b>	<b>1000</b>	<b>2000</b>	<b>4000</b>	<b>8000</b>
Generator Engine Exhaust Silencer	13	20	38	40	40	38	32	26
Engine Room Discharge Silencer	9	15	23	32	39	32	24	20
Engine Room Intake Silencer	10	16	24	33	39	31	23	19

## SCHEDULE "C"

### **Procedure to calculate and record the 10-minute average concentration of odour at the Point of Impingement and at the most impacted Odour Receptor**

- (a) Calculate and record one-hour average concentration of odour at the Point of Impingement and at the most impacted Odour Receptor, employing the AERMOD atmospheric dispersion model that employs at least five (5) years of hourly local meteorological data and that can provide results reported as individual one-hour average odour concentrations.
- (b) Convert and record each of the one-hour average concentrations predicted over the five (5) years of hourly local meteorological data at the Point of Impingement and at the most impacted Odour Receptor to 10-minute average concentrations using the One-hour Average to 10-Minute Average Conversion described below; and
- (c) Record and present the 10-minute average concentrations predicted to occur over a five (5) year period at the Point of Impingement and at the most impacted Odour Receptor in a histogram. The histogram shall identify all predicted 10-minute average odour concentration occurrences in terms of frequency, identifying the number of occurrences over the entire range of predicted odour concentration in increments of not more than 1/10 of one odour unit. The maximum 10-minute average concentration of odour at the Odour Receptor will be considered to be the maximum odour concentration at the most impacted Odour Receptor that occurs and is represented in the histogram, disregarding outlying data points on the histogram as agreed to by the Director.

#### **One-hour Average To 10-minute Average Conversion**

1. Use the following formula to convert and record one-hour average concentrations predicted by the AERMOD atmospheric dispersion model to 10-minute average concentrations:

$$\mathbf{X_{10min} = X_{60min} * 1.65}$$

where X<sub>10min</sub> = 10-minute average concentration  
X<sub>60min</sub> = one-hour average concentration

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

### **GENERAL**

- (1) Conditions 1, 7, and 8 are included to ensure that the Facility is constructed, installed, used, operated, maintained and retired in the manner in which it was described for review and upon which Approval was granted. These conditions are also included to emphasize the precedence of conditions in the Approval and the practice that the Approval is based on the most current document, if several conflicting documents are submitted for review.
- (2) Conditions 2 and 3 are included to require the Company to provide information to the public and the local municipality.
- (3) Condition 4 is included to require the Company to inform the Ministry of the commencement of activities related to the construction, installation and operation of the Facility.
- (4) Conditions 5, 6, 9, 10, 11, 12, 13, 17, 18, and 19 are included to clarify the legal rights and responsibilities of the Company.
- (5) Condition 14 is included to ensure that the Facility is operated under the corporate name which appears on the Application submitted for this Approval and to ensure that the Director is informed of any changes.
- (6) Condition 15 is included to restrict potential transfer or encumbrance of the Facility 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.
- (7) Condition 16 is included to ensure that the Ministry has ready access to the operations of the Facility. The condition is supplementary to the powers of entry afforded a Provincial Officer pursuant to the EPA, the OWRA, the PA, the NMA and the SDWA.
- (8) Conditions 20, 21, and 22 are included to ensure that the Facility is decommissioned in accordance with the Decommissioning Plan Report approved by the Ministry and that final closure of the Facility is completed in accordance with Ministry's standards.
- (9) Conditions 23 and 24 are intended to limit the time period of the Approval.

### **CONSTRUCTION OF FACILITY**

- (10) Condition 25 is included to ensure that the tanks will meet the requirements of, and be constructed in accordance with, section 65 of O. Reg. 267/03.

### **WATER TAKING AND ARCHAEOLOGICAL RESOURCES**



- (11) Conditions 26 and 27 are included to ensure that the Facility is constructed, installed, used, operated, maintained and retired in a way that does not result in an Adverse Effect or hazard to the natural environment or any persons.

### **AIR AND NOISE**

- (12) Conditions 28, 38, 39, and 40 are included to provide the minimum performance requirement considered necessary to prevent an Adverse Effect resulting from the operation of the Facility.
- (13) Conditions 29 and 30 are included to require the Company to undertake monitoring at the Facility to ensure that the Facility is operated in a manner which does not result in an Adverse Effect or hazard to the natural environment or any persons.
- (14) Conditions 31, 32, 33, 34, 35, 36, 37, and 41 are included to require the Company to gather accurate information so that the odour and noise impact and subsequent compliance with the Act, O. Reg. 359/09, Publication NPC-205, and this Approval can be verified.

### **BIOMASS MANAGEMENT**

#### **GENERAL**

- (15) Conditions 42 and 43 are included to ensure that the Facility is operated in accordance with the Application and not in a manner which the Director has not been asked to consider.
- (16) Condition 44 is included to ensure that sufficient funds are available to the Ministry to clean up the Facility in the event that the Company is unable or unwilling to do so.

#### **COMPLAINTS RESPONSE PROCEDURE**

- (17) Condition 45 is included to require the Company to respond to any environmental complaints regarding the operation of the Facility, according to a procedure that includes methods for preventing recurrence of similar incidents and a requirement to prepare and retain a written report.

#### **SERVICE AREA, APPROVED WASTE TYPES, RATES & STORAGE**

- (18) Condition 46 is included to specify the approved Biomass receipt rate and the approved Biomass types and the service area from which Biomass may be accepted at the Facility based on the Company's Application. Condition 46(4) is also included to specify the maximum amount of waste that is approved to be stored at the Facility that is covered by the required financial assurance.

## **SIGNS**

- (19) Condition 47 is included to ensure that the Facility's users, operators and the public are fully aware of important information and restrictions related to the operation of the Facility.

## **FACILITY SECURITY**

- (20) Condition 48 is included to ensure that the Facility is sufficiently secured, supervised and operated by properly trained personnel and to ensure controlled access and integrity of the Facility by preventing unauthorized access when the Facility is closed and no Facility personnel are on duty.

## **FACILITY OPERATIONS**

- (21) Condition 49(1) is included to specify the hours of operation for the Facility to ensure that the hours of the Facility's operations do not result in an Adverse Effect or hazard to the natural environment or any persons.
- (22) Condition 49(2) is included to ensure that only the approved waste types are accepted and processed at the Facility.
- (23) Condition 49(3) is included to specify the requirements for handling of the Rejected Waste that was inadvertently received at the Facility.
- (24) Conditions 49(4), 49(5), and 49(6) are included to ensure that waste handling and storage are undertaken in a way which does not result in an Adverse Effect or hazard to the natural environment or any persons.
- (25) Condition 49(7) is included to specify odour control measures to minimize the potential for odour emissions from the Facility.

## **FACILITY INSPECTION AND MAINTENANCE**

- (26) Condition 50 is included to require the Facility to be maintained and inspected thoroughly and on a regular basis to ensure that the operations at the Facility are undertaken in a manner which does not result in an Adverse Effect or hazard to the natural environment or any persons.

## **QUALITY CRITERIA / TESTING / MONITORING**

- (27) Conditions 51 and 52 are included to require all Biomass received at the Facility and shipped from the Facility to be characterized so that only Biomass approved by this Approval is handled at the Facility and that all waste transferred off-site is handled in accordance with the Ministry's requirements.

### **END USE OF PROCESSED MATERIAL**

- (28) Condition 53 is included to ensure that all processed Biomass is properly managed, processed and disposed of in accordance with the Ministry's regulatory requirements and in a manner that protects the health and safety of the public and the environment.

### **NUISANCE IMPACT CONTROL AND HOUSEKEEPING**

- (29) Condition 54 is included to ensure that the Facility is operated and maintained in an environmentally acceptable manner which does not result in an Adverse Effect or hazard to the natural environment or any persons.

### **OPERATIONS MANUAL AND TRAINING**

- (30) Conditions 55 and 56 are included to ensure that personnel employed at the Facility are fully aware and properly trained on the requirements and restrictions related to the Facility operations under this Approval.

### **EMERGENCY RESPONSE AND CONTINGENCY PLAN AND EMERGENCY SITUATIONS RESPONSE AND REPORTING**

- (31) Condition 57 is included to ensure that the Company is prepared and properly equipped to take action in the event of an emergency situation.
- (32) Condition 58 is included to require further spill notification to the Ministry, in addition to the requirements already listed in Part X of the Act.

### **RECORD KEEPING AND RETENTION**

- (33) Condition 59 is included to ensure that detailed records of Facility activities, inspections, monitoring and upsets are recorded and maintained for inspection and information purposes.

### **WASTEWATER MANAGEMENT**

- (34) Condition 60 is included to ensure that the wastewater generated at the Facility is handled in accordance with the Ministry's requirements and in a manner which does not result in an Adverse Effect or hazard to the natural environment or any persons.

### **COMMUNITY LIAISON COMMITTEE**

- (35) Conditions 61 to 70 are included to ensure continued communication between the Company and the local residents. Open communication with the public and local authorities is important in helping to maintain high standards for the operation of the Facility and protection of the natural environment.

### **SEWAGE WORKS**

## **SPILL CONTAINMENT FACILITY**

- (36) Conditions 71(1) and 71(2) are included due to the provisional nature of the documentation submitted in the Application related to the spill containment area and sewage works. The Director has only approved the spill containment area and sewage works in principle, and this condition will ensure that, prior to the commencement of the Facility, the Director will have the opportunity to review detailed design drawings, specifications and an engineer's report containing detailed design calculations for that portion of the Facility, in order to determine the Facility's capability to comply with the Approval.
- (37) Condition 71(3) is included to establish non-enforceable effluent quality objectives which the Company is required to strive towards on an ongoing basis. These objectives are to be used as a mechanism to trigger corrective action proactively and voluntarily before environmental impairment occurs.

## **SANITARY SEWER AND STORMWATER MANAGEMENT FACILITY**

- (38) Conditions 72 and 73 (1) and 73(2) are imposed to ensure that the stormwater management facility is designed, constructed, installed, used, operated, maintained and retired in the manner in which it was described for review and upon which Approval was granted.
- (39) Condition 73 (3) is included to enable the Company to evaluate and demonstrate the performance of the stormwater management facility, on a continual basis, so that the stormwater management facility is properly operated and maintained at a level which is consistent with the design objectives specified in the Approval and the Application and that the stormwater management facility does not cause any impairment to the receiving watercourse.
- (40) Condition 73 (4) is included to ensure that the stormwater management facility is constructed in accordance with the Approval and that records of drawings of the stormwater management facility "as constructed" are maintained for future reference.

## **NOTICE REGARDING HEARINGS**

*In accordance with Section 139 of the Environmental Protection Act, within 15 days after the service of this notice, you may by further written notice served upon the Director, the Environmental Review Tribunal and the Environmental Commissioner, require a hearing by the Tribunal.*

*In accordance with Section 47 of the Environmental Bill of Rights, 1993, the Environmental Commissioner will place notice of your request for a hearing on the Environmental Registry.*

*Section 142 of the Environmental Protection Act provides that the notice requiring the hearing shall state:*

1. The portions of the renewable energy approval or each term or condition in the renewable energy 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 signed and dated notice requiring the hearing should also include:*

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

*This notice must be served upon:*

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

AND

The Environmental Commissioner  
 1075 Bay Street, 6th Floor  
 Suite 605  
 Toronto, Ontario  
 M5S 2B1

AND

The Director  
 Section 47.5, *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](http://www.ert.gov.on.ca)**

*Under Section 142.1 of the Environmental Protection Act, residents of Ontario may require a hearing by the Environmental Review Tribunal within 15 days after the day on which notice of this decision is published in the Environmental Registry. By accessing the Environmental Registry at [www.ebr.gov.on.ca](http://www.ebr.gov.on.ca), you can determine when this period ends.*

*Approval for the above noted renewable energy project is issued to you under Section 47.5 of the Environmental Protection Act subject to the terms and conditions outlined above.*

DATED AT TORONTO this 26th day of March, 2012




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Ian Parrott, P.Eng.  
 Director  
 Section 47.5, *Environmental Protection Act*

VS/

c: District Manager, MOE Guelph  
 John Ferguson, Conestoga-Rover and Associates