



**Brooks Road
Environmental**



Brooks Road Landfill Site Vertical Capacity Expansion

Environmental Assessment Compliance Monitoring Program

Brooks Road Landfill

160 Brooks Road Haldimand County, Ontario

May 2020

REF. NO. 018235 (92)

GHD

Table of Contents

1.	Introduction.....	1
1.1	Purpose and Background	1
1.2	Overview of the EA Compliance Monitoring Program	2
2.	EA Mitigation and Monitoring Commitments and EA Act Approval Conditions	3
3.	Additional Environmental Approvals and Permits.....	14
4.	EA Compliance Monitoring Program Framework.....	16

Table Index

Table 2.1	EA Mitigation and Monitoring Commitments and Approval Conditions.....	4
Table 3.1	Approvals and Permits Compliance Monitoring	15

Appendices

Appendix A	<i>Environmental Assessment Act</i> Section 9 Notice of Approval to Proceed with the Undertaking
------------	--

1. Introduction

1.1 Purpose and Background

This document describes the Environmental Assessment Compliance Monitoring Program (EA CMP) prepared in accordance with Condition No. 4 of the Minister of Environment, Conservation and Parks' (Minister) Notice of Approval to Proceed with the Undertaking. The Minister approved the EA for the Brooks Road Landfill Site Vertical Capacity Expansion on February 14, 2019.

The Notice of Approval, issued under Section 9 of the *Environmental Assessment Act*, gives Brooks Road the approval to proceed with the proposed vertical expansion of the waste disposal capacity of the Brooks Road Landfill Site, subject to the conditions set out in it. With this in mind, the Minister's Notice of Approval specified the following compliance monitoring and reporting related conditions:

4. Compliance Monitoring Program

- 4.1 *The Proponent shall prepare and submit to the Director for approval and for the public record, an Environmental Assessment compliance monitoring program.*
- 4.2 *The compliance monitoring program shall be submitted within one year from the Date of Approval, or 60 days before the commencement of Construction, whichever is earlier, or by another date agreed upon by the Director.*
- 4.3 *The compliance monitoring program shall include a description of how the Proponent will:*
 - a. *monitor implementation of the Undertaking in accordance with the Environmental Assessment with respect to mitigation measures, public consultation, and additional studies and work to be carried out;*
 - b. *monitor compliance with the conditions in this Notice of Approval; and,*
 - c. *monitor compliance with all commitments made in the Environmental Assessment and the subsequent review of and approval process for the Environmental Assessment with respect to mitigation measures, public consultation, and additional studies and work to be carried out.*
- 4.4 *The compliance monitoring program must contain an implementation schedule for monitoring activities to be completed.*
- 4.5 *The Director may require the Proponent to amend the compliance monitoring program at any time. Should an amendment be required, the Director will notify the Proponent in writing of the required amendment and the date by which the Proponent must complete and submit the amendment to the Director.*
- 4.6 *The Proponent shall submit the amended compliance monitoring program to the Director within the time period specified by the Director.*

4.7 The Proponent shall implement the compliance monitoring program and any amendments to it.

5. Compliance Reporting

5.1 The Proponent shall prepare an annual compliance report outlining the results of the compliance monitoring program (Condition 4 above) and place the document on the public record.

5.2 The first compliance report shall be submitted to the Director for review and for the public record no later than one year following the Date of Approval. Each subsequent annual compliance report shall be submitted on the date that is the anniversary of the Date of Approval thereafter. Each report shall cover the previous year to the date of report submission.

5.3 The Proponent shall submit annual compliance reports until all conditions are satisfied.

5.4 Once all conditions in this Notice of Approval have been satisfied, the Proponent shall notify the Director in writing that the final annual compliance report is being submitted, and that all conditions in this Notice of Approval have been satisfied. The Ministry will confirm whether all conditions have been satisfied and the Director will state this in writing to the Proponent.

5.5 The Proponent shall retain either on the Site or in another location approved by the Director, copies of the annual compliance reports for each reporting year and any associated documentation of compliance monitoring activities.

5.6 The Proponent shall make the compliance reports and associated documentation available to the Director or a designate in a timely manner when requested to do so by the Ministry.

1.2 Overview of the EA Compliance Monitoring Program

With its purpose defined, the EA CMP Document is composed of the following sections:

- **Section 2** lists the mitigation and monitoring commitments made by Brooks Road during the EA that were documented in **Section 7** of the Brooks Road EA Report (EA Report), as well as the Minister's EA Act Approval conditions that need to be satisfied.
- **Section 3** lists the additional approvals, authorizations and permits acquired beyond EA Act approval as documented in **Section 8** of the EA Report.
- **Section 4** describes how Brooks Road will report on the CMP, specifically fulfilling Compliance Reporting Conditions 5.1 through 5.6 of the Minister's Notice of Approval to Proceed with the Undertaking.

Sections 2 through 4 of the CMP include compliance monitoring tables. The following column headings common to all tables have been included for compliance tracking purposes:

- **Evidence of Compliance** – describes how each provision will be monitored for compliance/fulfillment during implementation of the Undertaking.
- **Implementation Schedule** – outlines the estimated project stage when each provision will be fulfilled.

- **Status/Remarks** – allows for an update to be provided on where the fulfillment of the provision stands versus its planned implementation schedule. This column will be completed as part of compliance monitoring reporting.
- **Compliance Achieved? (Yes or In Progress)** – allows for a “yes” or “in progress” response to be provided so compliance fulfillment can be easily tracked. This column will be completed as part of compliance monitoring reporting.

2. EA Mitigation and Monitoring Commitments and EA Act Approval Conditions

Table 2.1 includes the following:

- Commitments made during the EA that need to be satisfied during implementation of the Undertaking, as documented in Section 7.3 of the EA Report. These commitments include mitigation measures identified in Section 5.0 of the EA Report for addressing potential adverse environmental effects associated with implementing the Undertaking.
- *EA Act* approval conditions that need to be satisfied during implementation of the Undertaking included in the Minister’s Notice of Approval (see **Appendix A**). Where an *EA Act* approval condition relates to an EA commitment, both have been included in the same row for compliance tracking purposes.
- Monitoring programs included in Section 7.1 of the EA Report to ensure that predicted net negative effects are not exceeded, unexpected negative effects are addressed, and predicted benefits are realized.
- Two columns that will be completed as part of future compliance monitoring reporting:
 - a) **Status/Remarks** – allows for an update to be provided on where the fulfillment of the provision stands versus its planned implementation schedule.
 - b) **Compliance Achieved? (Yes or In Progress)** – allows for a “yes” or “in progress” response to be provided so compliance fulfillment can be easily tracked.

Table 2.1 EA Mitigation and Monitoring Commitments and Approval Conditions

Category	EA Commitments		Proposed Monitoring		EA Act Approval Conditions	Evidence of Compliance	Implementation Schedule (Estimate Timelines and Dates)	Compliance Reporting	
	EA Report Section	EA Commitment	EA Report Section	Monitoring				Status/Remarks (as of date of annual compliance reporting)	Compliance Achieved? (Yes/In Progress)
General	Not Applicable (N.A.)	N.A.	N.A.	N.A.	Condition #2 - General Requirements 2.1. The Proponent shall comply with the provisions in the Environmental Assessment, which are hereby incorporated into this Notice of Approval by reference, except as provided in the conditions of this Notice of Approval and as provided in any other approval or permit that may be issued for this Site. 2.2. The Proponent shall fulfill all commitments made in the Environmental Assessment. 2.3. The conditions of the Notice of Approval do not prevent more restrictive conditions being imposed under other statutes.	Confirm the Conditions of Approval have been fulfilled and commitments made have been undertaken.	Prior to March 27, 2020; and during operation, closure, and post-closure of the Site.		
Best Management Practice Plans	5.0 & 7.2	Prepare Best Management Practice (BMP) Plans following approval of the undertaking by the Minister of the Environment and Climate Change and prior to vertical expansion of the Site. The BMP Plans will include a description of proposed mitigation measures, monitoring requirements, and commitments. The BMP Plans will ensure these mitigation measures, monitoring requirements, and commitments are implemented during construction, operation, closure, and post-closure of the Site.	N.A.	N.A.	N.A.	Confirm BMP Plan(s) have been prepared prior to implementation of the Undertaking.	Preparation and implementation of BMP Plans in 2020. Specific time commitments for each BMP Plan are outlined below in the table.		
Consultation	6.0	Continue to facilitate the ongoing function of the PLC as per Conditions 86 and 87 of ECA No. A110302 for the existing Brooks Road Landfill Site.	N.A.	N.A.	N.A.	Confirm that the PLC continues during construction and operation of the Undertaking.	Conduct PLC meetings three times a year. They are anticipated to be held at the beginning of March, June, and November each year, however exact dates will be confirmed during the last meeting of each year for the following year.		
		Ongoing consultation and engagement, as requested by the public, agencies, County, PLC and First Nations/ Aboriginal communities associated with ECA amendment(s) and other regulatory approvals required at the Site.	N.A.	N.A.	Condition # 7 – Consultation with Indigenous Communities 7.1 The Proponent shall prepare, in consultation with Indigenous Communities, an Indigenous consultation plan that sets forth: <ul style="list-style-type: none"> a. how, during the planning, design, Construction, operation, and closure of the Undertaking, the Proponent will consult with Indigenous Communities and provide them with opportunities to be involved in environmental monitoring activities; b. how the Proponent will notify Indigenous Communities, using a notification protocol, if archaeological resources or Indigenous 	Confirm that consultation is undertaken as per ECA application requirements. Continue that an Indigenous consultation plan is prepared and submitted to the Director.	Submit final Indigenous consultation plan to Director by May 31, 2020 and carry out consultation with Indigenous Communities during operation, and closure of the landfill as per the Indigenous consultation plan.		

Category	EA Commitments		Proposed Monitoring		EA Act Approval Conditions	Evidence of Compliance	Implementation Schedule (Estimate Timelines and Dates)	Compliance Reporting	
	EA Report Section	EA Commitment	EA Report Section	Monitoring				Status/Remarks (as of date of annual compliance reporting)	Compliance Achieved? (Yes/In Progress)
					<p>remains are encountered during the planning, design, Construction, operation, and closure of the Undertaking; and,</p> <p>c. how the Proponent will issue notices and updates to Indigenous communities on key steps in the planning, design, Construction, operation, and closure of the Undertaking.</p> <p>2. 90 days before the start of Construction or by such other date as may be agreed to in writing by the Director, the Proponent shall submit the Indigenous consultation plan to the Director for approval, with an outline of how the Proponent consulted on it as per Condition 7.1 above.</p> <p>3. Once the Director is satisfied with the Indigenous consultation plan, the Proponent shall implement the Indigenous consultation plan during the planning, design, Construction, operation, and closure of the Undertaking.</p>				
Air Quality & Odour	5.0	Fugitive Dust Best Management Plan will be implemented to reduce roadway emission by a minimum of 90 percent. This may include watering and sweeping of roadways and temporary monitoring of particulate matter to confirm that the mitigation measures implemented are effective.	N.A.	N.A.	Condition #8 - Air Quality and Odour 8.1 When applying for an Environmental Compliance Approval, the Proponent shall provide, to the satisfaction of the Ministry, the following information as part of its application: <ul style="list-style-type: none">a. an emissions summary and dispersion modelling report that includes landfill gas;b. an odour assessment and modelling report for the expanded landfill Site;c. a dust management plan for the Site which shall include fugitive dust emissions from all sources at the Site; andd. an odour management plan detailing the measures for addressing the potential odours that may emanate from the Site. 8.2 The Proponent shall prepare and implement a landfill gas mitigation plan that specifies measures for monitoring and reducing landfill gas emissions for the Construction, operation, closure and post-closure phases of the expanded landfill Site. The Proponent shall report on changes in landfill gas production in its annual compliance report (Condition 5 above).	Confirm that a Fugitive Dust Best Management Plan is implemented during operation Confirm that a SOP for odour has been prepared. Confirm that an Odour Management Plan has been prepared and includes daily odour monitoring. Confirm that the ECA application is completed to the satisfaction of the Ministry. Confirm that a landfill gas mitigation plan has been prepared and implemented. Confirm that a Complaint Protocol is prepared.	Prior to March 27, 2020. Final version of Odour Management Plan to be submitted by June 25, 2020. , Implement plans and protocols as specified throughout the life of the Site.		
		Development of standard operating procedure (SOP) for odour to include odour mitigation measures that would be implemented to ensure that odour complaints are investigated and the condition that resulted in the odour complaint is mitigated.	N.A.	N.A.					
		Implementation of an Odour Best Management Plan including the continuation and modification of the following odour control measures: <ul style="list-style-type: none">Daily odour monitoringMinimizing exposed waste through the application of cover materialLimit exposed areas of the leachate collection systemWhen not in use, ensure blind flanges are placed on leachate collection system cleanouts and sump risersApplication of odour control granules and liquid sprayCommunity outreach to identify any impacts at neighbouring residences Maintain the leachate collection system under negative pressure may also be included as an Odour BMP.	7.1.1	Daily Odour Monitoring Monitoring of odour on Site is conducted and documented daily by Brooks Road Environmental staff. This includes observation of weather conditions; wind speed and direction; site operating conditions; odour type and smell (if present); and documentation of any odour complaints received.					

Category	EA Commitments		Proposed Monitoring		EA Act Approval Conditions	Evidence of Compliance	Implementation Schedule (Estimate Timelines and Dates)	Compliance Reporting	
	EA Report Section	EA Commitment	EA Report Section	Monitoring				Status/Remarks (as of date of annual compliance reporting)	Compliance Achieved? (Yes/In Progress)
		N.A.	7.1.1	Landfill Gas Monitoring The monitoring network currently consists of six gas probes (nested) installed in three on Site locations (two gas probes per nest). An additional pair of gas probes will be installed adjacent to the leachate treatment facility following commissioning. Landfill gas monitoring activities are to be conducted monthly from December 1 to April 30 and on a quarterly basis from May through November.	The complaint protocol shall include a procedure for notifying the Ministry's Hamilton District Office of the complaints received. 6.2. The Proponent shall submit the complaint protocol to the Director for approval and for the public record within one year from the Date of Approval, or 60 days before the start of Construction, whichever is earlier, or by another date agreed upon by the Director. 6.3. The Director may require the Proponent to amend the complaint protocol at any time. Should an amendment be required, the Director shall notify the proponent in writing of the amendment required and when the amendment must be completed. 6.4. The Proponent shall submit the amended complaint protocol to the Director within the time period specified by the Director. 6.5. The Proponent shall implement the complaint protocol and any amendments to it. 6.6. The Proponent shall provide a summary on the complaints received and how they were addressed as part of the annual compliance reporting (Condition 5) and post the summary on the website as part of the public record.				
Noise	5.0 & 7.0	Implementation of a Noise Best Management Plan to minimize noise impacts from the Site. BMPs may include barriers and/or berms at the landfill perimeter, as required, administrative controls that limit on-Site landfilling activities, and routine monitoring of landfill equipment to ensure it is performing within acceptable noise limits.	7.1.2	Noise Monitoring Landfill equipment will be routinely monitored to ensure it is performing within acceptable noise limits. As all residential dwellings are below the 55 dBA noise limit, no additional annual monitoring is recommended.	N.A.	Ensure a Noise BMP is prepared and includes a plan for noise monitoring.	Prepare Noise BMP in 2020, and conduct routine noise monitoring in accordance with the final Noise BMP throughout the operation of the Site.		
Geology & Hydrogeology	7.0	Continuation of the existing groundwater monitoring program, consisting of both hydraulic monitoring and water quality monitoring at a network of 29 monitoring wells.	7.1.3	Groundwater Monitoring The existing groundwater monitoring program will continue and consists of both hydraulic monitoring and water quality monitoring at a network of 29 monitoring wells (21 on Site and 8 off Site wells). Hydraulic and groundwater quality monitoring are scheduled to take place in May, July, and November. Groundwater levels will continue to be measured at all monitoring locations, when possible, at the time of sample collection.	N.A.	Confirm that existing groundwater program is continued.	Conduct hydraulic and groundwater quality monitoring May, July, and November each year during operation of the Landfill. Continue to conduct groundwater monitoring during the post-closure period.		
	7.0	Continuation of the existing leachate quality monitoring program.	7.1.3	Leachate Monitoring The existing leachate monitoring program at the Site includes leachate quality monitoring. Leachate quality samples are currently collected directly from the leachate collection system. Leachate hydraulic monitoring will	Condition #9 - Groundwater and Surface Water Protection 9.1 When applying for an Environmental Compliance Approval, the Proponent shall provide, to the satisfaction of the Ministry, the following information as part of its application:	Confirm that existing leachate quality monitoring program is continued. Confirm that the ECA application is completed	Provide required information during ECA application, continue leachate quality monitoring program as		

Category	EA Commitments		Proposed Monitoring		EA Act Approval Conditions	Evidence of Compliance	Implementation Schedule (Estimate Timelines and Dates)	Compliance Reporting	
	EA Report Section	EA Commitment	EA Report Section	Monitoring				Status/Remarks (as of date of annual compliance reporting)	Compliance Achieved? (Yes/In Progress)
				<p>commence upon commissioning of the new leachate treatment facility. As part of Site development and progressive closure, leachate monitoring wells will be installed within the waste mound so that further leachate characterization and hydraulic monitoring can be accomplished.</p> <p>Leachate quality monitoring will be conducted in accordance with the ECA. Leachate samples are currently collected from the leachate collection system on an annual basis in July and are analyzed for inorganic chemistry parameters, metals, PAHs, and VOCs</p>	<p>a. information documenting the performance of the existing leachate management system at the Site;</p> <p>b. a description in the design and operations report on how the Proponent will manage the rate of fill and potential leachate generation; and,</p> <p>c. a leachate management plan for the vertical landfill expansion.</p>	to the satisfaction of the Ministry.	specified in the ECA and report annually on program as a part of Annual Compliance Report, which is to be submitted on February 14 each year.		
Surface Water Resources	7.0	Continuation of the existing surface water monitoring program, consisting of water quality monitoring and surface water flow measurements.	7.1.4	<p>Surface water monitoring</p> <p>Surface water monitoring will continue to include both water quality monitoring and surface water flow measurements. The surface water monitoring network currently consists of seven surface water monitoring stations (two on Site and five off Site), as shown in Figure 4.14, and these stations will be maintained.</p> <p>Water quality monitoring and surface water flow measurements at all of the current seven surface water stations will take place on a quarterly basis in March, May, August, and November. The measurements are also correlated with rain fall events. As such, the John C. Munro Hamilton International Airport in Mount Hope, ON (Hamilton Airport), located approximately 24 km to the north, is often used to schedule surface water monitoring events.</p>	N.A.	Confirm that the existing surface water monitoring program is continued.	Continuation of the surface water monitoring program on quarterly basis each year in March, May, August, and November during operation of the Landfill. Continue to conduct surface water monitoring during the post-closure period.		
	7.0	An eighth monitoring station (SW-2) will be added following the construction of the on-Site stormwater management pond. SW-2 will be located on-Site at the outlet from the on-Site stormwater management pond.	7.1.4	An eighth monitoring station (SW 2) will be added following the construction of the on Site stormwater management pond.		Confirm that SW-2 is added following construction	2019		
Stormwater Management	5.0	Implementation of a stormwater management infrastructure operation, maintenance, and inspection plan, including regular sediment level monitoring (recommended annually under stabilized post closure conditions) to estimate the portion of the permanent pool that is filled by sediment, sediment removal activities (once accumulation reaches approximately 1/3 of the available permanent pool volume), annual inspection of sediment accumulation within the vegetated swales, and maintenance activities if conveyance capacities	N.A.	N.A.	N.A.	Confirm that a stormwater management infrastructure operation, maintenance, and inspection plan is implemented.	Implementation of plan prior to March 27, 2020 , and inspection of infrastructure in accordance with the plan.		

Category	EA Commitments		Proposed Monitoring		EA Act Approval Conditions	Evidence of Compliance	Implementation Schedule (Estimate Timelines and Dates)	Compliance Reporting	
	EA Report Section	EA Commitment	EA Report Section	Monitoring				Status/Remarks (as of date of annual compliance reporting)	Compliance Achieved? (Yes/In Progress)
		are reduced significantly and/or if bare soil areas are present.							
Terrestrial & Aquatic Environment	5.0	<p>Implementation of a Terrestrial & Aquatic Environment Best Management Plan. BMPs for continued operation of the landfill may include:</p> <ul style="list-style-type: none"> Notify Site operators and delivery contractors of the presence of reptiles and amphibians in the surrounding areas. This includes visual identification tools for species at risk (SAR) common to the area. Any wildlife incidentally encountered during Site operation activities will not be knowingly harmed and will be allowed to move away from the area on its own if at all possible. In the event that an animal encountered during Site operation activities does not move from the area, or is injured, the Site Supervisor will be notified. In the event that the animal is a known or suspected SAR, the Site Supervisor will contact MNRF SAR biologists for advice. Silt fence is recommended to be added to all perimeter Site fencing as an enhanced effort to minimize human-wildlife interactions on Site. <p>Erosion and sediment controls shall be maintained until all disturbed areas of the Site, including the pond and swales, have fully stabilized and vegetated areas have achieved 70 percent of the native background density of growth. The condition of all swales, culverts, vegetation, infiltration basin outlet, and outflow channels leading to the Brooks Road drainage ditch and off Site will be noted at regular intervals.</p>	7.1.6	<p>1) Routine inspections of the integrity of the perimeter silt fence. Inspections should be conducted at a regular frequency (e.g. minimum quarterly monitoring). Inspection reports should be prepared and maintained on-Site. Incidental observations of silt fence disrepair should be reported immediately to the Site Operations Manager and addressed in a timely fashion.</p> <p>2) Routinely evaluate the extent of the heavy-duty silt fence and 5 m north Subject Land vegetated buffer. Extend the silt fence and vegetated buffer east along the north Subject Land boundary when disturbance of the temporarily vegetated portion of the stockpile is scheduled.</p> <p>3) Routine inspections of the integrity and effectiveness of the sites chain link fence for any evidence of wildlife attempting to enter the site. Any disrepair should be reported immediately to the Site Operations Manager and addressed in a timely fashion</p> <p>4) Monitoring and Report any observations of Species At Risk that may enter the site. Photos of Species At Risk in the area of the site will be kept within the office at the site. Photos will be taken of any Species At Risk on site by landfill staff and documented in the annual monitoring report. Follow-up calls to MNRF will be undertaken should Species At Risk be encountered</p> <p>5) Monitoring of the wetland to the north of the site will occur for the duration of receipt of waste at the landfill. Monitoring will review effectiveness of mitigation measures put in place to ensure no effects to wetland, i.e. silt fence is in working order, utilize monitoring data from groundwater wells to demonstrate no offsite impacts beyond the perimeter of the site, etc.</p>	<p>Condition # 12 - Wetland and Species at Risk Protection</p> <p>12.1. The Proponent shall install a permanent silt fence that extends the entire perimeter of the Site property to exclude wildlife from accessing the Site. This exclusion fence shall be routinely monitored and maintained in good working condition throughout the Construction, operation and closure of the landfill.</p> <p>12.2. The Proponent shall train staff in the identification of Blanding's Turtle and other Species at Risk known to be within the general vicinity of the Site. Training shall include Species at Risk awareness and the appropriate steps to take upon encountering a Species at Risk. In the event that a Species at Risk is found on the Site property, all activities that could potentially harm the animal shall cease and a Ministry of Natural Resources and Forestry biologist shall be contacted.</p> <p>12.3. The Proponent shall develop and implement a wetland monitoring program to demonstrate that there are no impairments to water quality, quantity, vegetation, or wildlife in the Cayuga Swamp Wetland Complex located adjacent to the Site as a result of the Undertaking. The Proponent shall prepare wetland monitoring reports outlining the results of the wetland monitoring program. The Proponent shall provide copies of the wetland monitoring reports to the Ministry of Natural Resources and Forestry and submit them to the Ministry as part of its annual compliance report (Condition 5 above).</p>	<p>Confirm a Terrestrial and Aquatic Environment BMP is prepared.</p> <p>Confirm silt fencing is installed.</p> <p>Confirm staff are trained in the identification of Species at Risk.</p>	<p>Confirm BMP is submitted and silt fencing is installed in 2020 and confirm staff are trained in the identification of Species at Risk at the beginning of each year during the life of the Site.</p>		
	7.0	Annual monitoring of wetland for duration of landfill operation				<p>Confirm a wetland monitoring program is prepared and reported on annually.</p>	<p>Submit wetland monitoring program by end of June 2020 and submit wetland monitoring reports annually on February 14 as a part of compliance report.</p>		
Archaeology & Cultural Heritage	5.0	The <i>Cemeteries Act</i> , R.S.O. 1990 c. C.4 and the <i>Funeral, Burial and Cremation Services Act</i> , 2002, S.O. 2002, c.33 (when proclaimed in force) require that any person discovering human remains must notify the police or coroner and the Registrar of Cemeteries at the Ministry of Consumer Services.	N.A.	N.A.	N.A.	<p>Confirm that if human remains are found that the police or coroner are contacted.</p>	<p>Upon occurrence</p>		
Land Use	5.0 & 7.0	Monitor land use applications, plans, and/or policies, including Official Plan, Zoning By-Law, Community	7.1.5	Monitor any changes in plans and by-laws on a regular basis to ensure that any related to waste disposal operations are not overlooked.	N.A.	<p>Confirm if any action was taken to respond to land use applications or</p>	<p>Monitoring on a monthly basis;</p>		

Category	EA Commitments		Proposed Monitoring		EA Act Approval Conditions	Evidence of Compliance	Implementation Schedule (Estimate Timelines and Dates)	Compliance Reporting	
	EA Report Section	EA Commitment	EA Report Section	Monitoring				Status/Remarks (as of date of annual compliance reporting)	Compliance Achieved? (Yes/In Progress)
		Development Plans, plans of subdivision, site plans, and OMB decisions, for the following: <ul style="list-style-type: none"> To determine any potential effects on the undertaking; To provide comments to Haldimand County, as necessary, in relation to the above; and To take further action, as required, in relation to the above, including appeals.				changes to land use plans and policies.	with immediate action if required.		
	5.0	Nuisance related effects to off-Site recreational resources within 500 m of landfill footprint and the two residential properties within 500 m of the landfill footprint will be mitigated through the implementation of Site Design and Operation BMPs included in the Amended Site D&O Report for the Amended ECA	N.A.	N.A.	N.A.	Confirm inclusion of Site Design and Operation BMPs in the Amended Site D&O Report in the Amended ECA.	Prior to March 27, 2020		
Agriculture, Soils, & Mining	5.0	Nuisance related effects to surrounding agricultural operations will be mitigated through the implementation of Site Design and Operation BMPs included in the Amended Site D&O Report for the Amended ECA (see Site Design & Operations , below).	N.A.	N.A.	N.A.	Confirm inclusion of Site Design and Operation BMPs in the Amended Site D&O Report in the Amended ECA.	Prior to March 27, 2020		
Site Design & Operations	5.0	The Amended Site D&O Report for the Amended ECA will include BMPs to be implemented by Brooks Road Environmental to maximize operational flexibility and may include the following: <ul style="list-style-type: none"> Tarping vehicles transporting waste to and around the Site, as required, to prevent litter from blowing out of the vehicle. Applying daily cover to exposed waste to confine light weight material. Ensuring that cover material is readily available to allow the working face to be fully covered at the end of each operating day. Minimizing the area of exposed waste at the working face. Adjusting the location of the working face, as required, to provide shelter from prevailing winds, if possible. Using portable litter fences around the working face to capture litter. Collecting litter on an as-needed basis, both from the Site and, if required, from the adjacent lands and roadway. Operating on-Site equipment in a manner such that noise impacts are minimized, wherever possible. Ensuring that all landfill construction equipment associated with the development, operation, or closure of the Site comply with the noise levels 	N.A.	N.A.	N.A.	Confirm the elements are included in the Amended Site D&O Report.	Prior to March 27, 2020		

Category	EA Commitments		Proposed Monitoring		EA Act Approval Conditions	Evidence of Compliance	Implementation Schedule (Estimate Timelines and Dates)	Compliance Reporting	
	EA Report Section	EA Commitment	EA Report Section	Monitoring				Status/Remarks (as of date of annual compliance reporting)	Compliance Achieved? (Yes/In Progress)
		<p>outlined in applicable MOECC guidelines and technical standards.</p> <ul style="list-style-type: none"> Vegetating the berm on the western Site boundary and/or on-Site plantings, as required, to attenuate visual and noise impacts. Compacting waste immediately after placement and spreading. Vector and vermin are controlled, as required. Maintaining the comprehensive monitoring and maintenance program to address all aspects of landfill operation, including waste inspection and monitoring of landfill odour. Site haul roads are constructed to minimize mud trackout and dust mitigation measures are employed on an as-needed basis. 							
Socio-Economic	5.0	Views of the Site from the west and southwest will be minimized by planting trees or shrubs on top of the berm along the western property boundary and/or introducing additional on-Site plantings, as required.	N.A.	N.A.	N.A.	Confirm that plantings and/or berms are implemented, as necessary.	Annually during the spring and fall (as required).		
	5.0	Nuisance related effects to the 11 residences within the Local Study Area will be mitigated through the implementation of Site Design and Operation BMPs included in the Amended Site D&O Report for the Amended ECA (see Site Design & Operations , above).	N.A.	N.A.	N.A.	Confirm inclusion of Site Design and Operation BMPs in the Amended Site D&O Report in the Amended ECA.	Prior to March 27, 2020		
Contingency Plans	7.4	Prepare Contingency Plans following approval of the undertaking by the Minister of the Environment and Climate Change and prior to vertical expansion of the Site. The Contingency Plans will include a description of proposed contingency measures, monitoring requirements, and commitments. The Contingency Plans will ensure these contingency measures, monitoring requirements, and commitments are implemented, if required, during construction, operation, closure, and post-closure of the Site.	N.A.	N.A.	N.A.	Confirm that Contingency Plans are prepared, as necessary.	Prior to March 27, 2020		
Public Record	N.A.	N.A.	N.A.	N.A.	<p>Condition # 3 – Public Record</p> <p>3. Public Record 3.1. Where a document is required for the public record, the Proponent shall post the document on the Proponent website and provide one hardcopy and one electronic copy of the document to the Director.</p> <p>3.2. The EA Reference Number 13004 and EA File Number 03-08-02 shall be quoted on all documents submitted to the Ministry pursuant to this Notice of Approval.</p> <p>3.3. For every document submitted to the Ministry, the Proponent shall clearly identify which condition of approval the document is meant to fulfill.</p>	Confirm that documents have been placed on the public record, as required.	Upon submission of documents for the public record.		

Category	EA Commitments		Proposed Monitoring		EA Act Approval Conditions	Evidence of Compliance	Implementation Schedule (Estimate Timelines and Dates)	Compliance Reporting	
	EA Report Section	EA Commitment	EA Report Section	Monitoring				Status/Remarks (as of date of annual compliance reporting)	Compliance Achieved? (Yes/In Progress)
Compliance Monitoring	N.A.	N.A.	N.A.	N.A.	Condition # 4 – Compliance Monitoring Program 4.1. The Proponent shall prepare and submit to the Director for approval and for the public record, an Environmental Assessment compliance monitoring program. 4.2. The compliance monitoring program shall be submitted within one year from the Date of Approval, or 60 days before the commencement of Construction, whichever is earlier, or by another date agreed upon by the Director. 4.3. The compliance monitoring program shall include a description of how the Proponent will: a. monitor implementation of the Undertaking in accordance with the Environmental Assessment with respect to mitigation measures, public consultation, and additional studies and work to be carried out; b. monitor compliance with the conditions in this Notice of Approval; and, c. monitor compliance with all commitments made in the Environmental Assessment and the subsequent review of and approval process for the Environmental Assessment with respect to mitigation measures, public consultation, and additional studies and work to be carried out. 4.4. The compliance monitoring program must contain an implementation schedule for monitoring activities to be completed. 4.5. The Director may require the Proponent to amend the compliance monitoring program at any time. Should an amendment be required, the Director will notify the Proponent in writing of the required amendment and the date by which the Proponent must complete and submit the amendment to the Director. 4.6. The Proponent shall submit the amended compliance monitoring program to the Director within the time period specified by the Director. 4.7. The Proponent shall implement the compliance monitoring program and any amendments to it.	Confirm Compliance Monitoring Program have been prepared and submitted to the Director.	Submission of revised Compliance Monitoring Program by May 31, 2020.		
	N.A.	N.A.	N.A.	N.A.	Condition # 5 – Compliance Reporting 5.1. The Proponent shall prepare an annual compliance report outlining the results of the compliance monitoring program (Condition 4 above) and place the document on the public record. 5.2. The first compliance report shall be submitted to the Director for review and for the public record no later than one year following the Date of Approval. Each subsequent annual compliance report shall be submitted on the date that is the	Confirm Annual Compliance Reports are submitted annually until all conditions are satisfied.	Annually each year on February 14 until all conditions are satisfied.		

Category	EA Commitments		Proposed Monitoring		EA Act Approval Conditions	Evidence of Compliance	Implementation Schedule (Estimate Timelines and Dates)	Compliance Reporting	
	EA Report Section	EA Commitment	EA Report Section	Monitoring				Status/Remarks (as of date of annual compliance reporting)	Compliance Achieved? (Yes/In Progress)
					<p>anniversary of the Date of Approval thereafter. Each report shall cover the previous year to the date of report submission.</p> <p>5.3. The Proponent shall submit annual compliance reports until all conditions are satisfied.</p> <p>5.4. Once all conditions in this Notice of Approval have been satisfied, the Proponent shall notify the Director in writing that the final annual compliance report is being submitted, and that all conditions in this Notice of Approval have been satisfied. The Ministry will confirm whether all conditions have been satisfied and the Director will state this in writing to the Proponent.</p> <p>5.5. The Proponent shall retain either on the Site or in another location approved by the Director, copies of the annual compliance reports for each reporting year and any associated documentation of compliance monitoring activities.</p> <p>5.6. The Proponent shall make the compliance reports and associated documentation available to the Director or a designate in a timely manner when requested to do so by the Ministry.</p>				
Extreme Weather Events	N.A.	N.A.	N.A.	N.A.	<p>Condition # 10 – Extreme Weather Events</p> <p>10.1. When applying for an Environmental Compliance Approval, the Proponent shall provide to the satisfaction of the Ministry as part of its application, an assessment of landfill vulnerability to side slope failure due to extreme weather events. The Proponent shall complete a slope stability modelling exercise to determine the appropriate safety factor to be applied to the design of the vertically expanded landfill and identify appropriate mitigation and contingency measures to prevent side slope failure.</p>	Confirm that the Environmental Compliance Approval is application is completed to the satisfaction of the Ministry.	April 29, 2019		
Waste Diversion	N.A.	N.A.	N.A.	N.A.	<p>Condition # 11 – Waste Diversion</p> <p>11.1. The Proponent shall develop and implement a waste diversion protocol which shall contain information on awareness programs for waste generators and haulers, and on-site waste segregation protocols to maximize the diversion of industrial, commercial and institutional waste, including organics. The Proponent shall submit the waste diversion protocol to the Ministry in its application for an Environmental Compliance Approval and report industrial, commercial and institutional waste diversion amounts in its annual compliance report (Condition 5 above).</p>	Confirm a waste diversion protocol is prepared.	Prior to March 27, 2020		
Duration of Approval	N.A.	N.A.	N.A.	N.A.	<p>Condition # 13 – Duration of Approval</p> <p>13.1. If Construction has not commenced within 2 years of the Date of Approval, the Proponent shall conduct a review of the Environmental Assessment and submit that review to the Director.</p>	Confirm construction (expansion of the Landfill) has commenced within two	January 15, 2021		

Category	EA Commitments		Proposed Monitoring		EA Act Approval Conditions	Evidence of Compliance	Implementation Schedule (Estimate Timelines and Dates)	Compliance Reporting	
	EA Report Section	EA Commitment	EA Report Section	Monitoring				Status/Remarks (as of date of annual compliance reporting)	Compliance Achieved? (Yes/In Progress)
					The review shall look at the potential environmental effects and mitigation measures, and identify any changes to these components. If Construction has not commenced within 5 years of the Date of Approval, this Notice of Approval shall expire.	years of the Date of Approval.			

3. Additional Environmental Approvals and Permits

In addition to EA approval, further environmental approvals will be required in support of the proposed undertaking. This section outlines the other approvals that will be required for the proposed undertaking. In some cases, the approval identified may be a section or condition of the ECA for the site overall, as opposed to a separate approval.

As noted in Section 1.2, **Table 3.1** includes the following two columns that will be completed as part of future compliance monitoring reporting:

- c) Status/Remarks – allows for an update to be provided on where the fulfillment of the provision stands versus its planned implementation schedule.
- d) Compliance Achieved? (Yes or In Progress) – allows for a “yes” or “in progress” response to be provided so compliance fulfillment can be easily tracked.

Table 3.1 Approvals and Permits Compliance Monitoring

Applicable Approval/Permit	Evidence of Compliance	Implementation Schedule (Estimate Timelines and Dates)	Status/Remarks (as of date of Annual Compliance Report)	Compliance Achieved? (Yes/In Progress)
Environmental Compliance Approval - Ministry of the Environment, Conservation and Parks				
An application to amend the existing ECA for the Site will need to be submitted to the MECP for approval. Changes to the design and operations of the landfill required as a result of the Preferred Alternative will be documented in an update to the existing Design and Operations (D&O) Report for the Site.	Confirm the ECA is approved by MECP.	March 27, 2020		
Noise				
The updated D&O and amended ECA will include any additional mobile noise sources such as crushing equipment for C&D processing. Other landfill operations equipment and potential on Site noise sources, including intermittent, will be addressed under the ECA for the Site overall.	Confirm the updated D&O includes any additional mobile noise sources, as necessary	April 29 2019		
Surface Water Resources				
The updated D&O and amended ECA will include details of any changes required to the approved on-Site stormwater management system.	Confirm the updated D&O includes changes to the approves on-site stormwater management system, as appropriate.	April 29 2019		

4. EA Compliance Monitoring Program Framework

In accordance with Conditions 5.1 through 5.6 of the Minister's Approval, Brooks Road will report on the results of this CMP. As part of future Annual Monitoring Reports, Brooks Road will describe the status of compliance in relation to the following components of this CMP:

- EA Commitments and *EA Act* Approval Conditions
- Mitigation Measures and Monitoring Program Commitments
- Additional Approvals and Permits

The Annual Monitoring Reports will cover the activities of the previous year for each of the preceding components. Brooks Road will submit the first Annual Monitoring Report to the Director for review and placement on the public record no later than one year following the Date of Approval. Each subsequent annual compliance report shall be submitted on the date that is the anniversary of the Date of Approval thereafter, until all conditions are satisfied. Each report shall cover the previous year to the date of report submission.

The final Annual Monitoring Report will indicate that it is a final report and that all conditions have been satisfied. Copies of all Annual Monitoring Reports and any associated compliance documentation will be kept at the site and be made available to the Director or a designate upon request.



Appendix A

Environmental Assessment Act Section 9 Notice of Approval to Proceed with the Undertaking

ENVIRONMENTAL ASSESSMENT ACT

SECTION 9

NOTICE OF APPROVAL TO PROCEED WITH THE UNDERTAKING

RE: An Environmental Assessment for the Brooks Road Landfill Site Vertical Capacity Expansion

Proponent: 2270386 Ontario Limited (Brooks Road Environmental)

EA Reference No.: 13004

EA File No.: 03-08-02

TAKE NOTICE that the prescribed deadline for requiring a hearing, provided for in the Notice of Completion of the Ministry Review for the above-noted undertaking, expired on August 25, 2017.

Having considered the purpose of the *Environmental Assessment Act*, the approved Terms of Reference, the Environmental Assessment, and the Ministry Review and comments received, I hereby give approval to proceed with the Undertaking, subject to the conditions set out below.

REASONS

My reasons for giving approval are:

- (1) The Proponent has complied with the requirements of the *Environmental Assessment Act*.
- (2) The Environmental Assessment has been prepared in accordance with the approved Terms of Reference.
- (3) On the basis of the Proponent's Environmental Assessment and the Ministry Review, the Proponent's conclusion that the advantages of this undertaking outweigh its disadvantages appears to be valid.
- (4) No other beneficial alternative method of implementing the Undertaking was identified.
- (5) The Proponent has demonstrated that the environmental effects of the Undertaking can be appropriately managed and mitigated.
- (6) On the basis of the Proponent's Environmental Assessment, the Ministry Review and the conditions of approval, the construction, operation and maintenance of the Undertaking will be consistent with the purpose of the *Environmental Assessment Act* (Section 2).
- (7) The government agency, public and Indigenous community review of the Environmental Assessment has indicated no outstanding concerns that cannot be addressed through commitments made in the Environmental Assessment, through conditions set out below, or through future approvals that will be required. I am not aware of any outstanding issues with respect to this Undertaking which suggest that a hearing should be required.

CONDITIONS

The approval is subject to the following conditions:

1. Definitions

For the purposes of these conditions:

"Construction" means physical construction activities, including site preparation works, but does not include the tendering of contracts.

"Date of Approval" means the date on which the Order in Council pertaining to the approval of the Environmental Assessment was signed by the Lieutenant Governor-in-Council.

"Director" means the Director of the Environmental Assessment and Permissions Branch.

"Environmental Assessment" means the document titled Brooks Road Landfill Site Vertical Capacity Expansion Environmental Assessment February 2017.

"Environmental Compliance Approval" means an approval issued under Part II.1 of the *Environmental Protection Act*, R.S.O. 1990, c. E.19, as amended.

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

"Indigenous Communities" means: Six Nations of the Grand River, Mississaugas of the New Credit First Nation, and Métis Nation of Ontario – Region 9 (representing Clear Waters Métis Council and Niagara Region Métis Council)

"Proponent" means 2270386 Ontario Limited (Brooks Road Environmental), its agents, successors, and assigns.

"Site" means the Brooks Road Landfill Site consisting of a 6 hectare waste fill area within a waste disposal site of 14.3 hectares, located in Part of Lot 24, Concession 1, North of Talbot Road, Haldimand County.

"Species at Risk" means the species that are on the Species at Risk in Ontario List provided by Ontario Regulation 230/08 of the *Endangered Species Act*, S.O. 2007, c. 6 as amended.

"Undertaking" means the planning, design, construction, operation, and closure of the vertical expansion of the waste fill area at the Site for an additional 421,000 cubic metres of waste disposal capacity (including cover) and associated works, as specified in the Environmental Assessment.

2. General Requirements

- 2.1 The Proponent shall comply with the provisions in the Environmental Assessment, which are hereby incorporated into this Notice of Approval by reference, except as provided in the conditions of this Notice of Approval and as provided in any other approval or permit that may be issued for this Site.
- 2.2 The Proponent shall fulfill all commitments made in the Environmental Assessment.
- 2.3 The conditions of the Notice of Approval do not prevent more restrictive conditions being imposed under other statutes.

3. Public Record

- 3.1 Where a document is required for the public record, the Proponent shall post the document on the Proponent website and provide one hardcopy and one electronic copy of the document to the Director.
- 3.2 The EA Reference Number 13004 and EA File Number 03-08-02 shall be quoted on all documents submitted to the Ministry pursuant to this Notice of Approval.
- 3.3 For every document submitted to the Ministry, the Proponent shall clearly identify which condition of approval the document is meant to fulfill.

4. Compliance Monitoring Program

- 4.1 The Proponent shall prepare and submit to the Director for approval and for the public record, an Environmental Assessment compliance monitoring program.
- 4.2 The compliance monitoring program shall be submitted within one year from the Date of Approval, or 60 days before the commencement of Construction, whichever is earlier, or by another date agreed upon by the Director.
- 4.3 The compliance monitoring program shall include a description of how the Proponent will:
 - a. monitor implementation of the Undertaking in accordance with the Environmental Assessment with respect to mitigation measures, public consultation, and additional studies and work to be carried out;
 - b. monitor compliance with the conditions in this Notice of Approval; and,
 - c. monitor compliance with all commitments made in the Environmental Assessment and the subsequent review of and approval process for the Environmental Assessment with respect to mitigation measures, public consultation, and additional studies and work to be carried out.
- 4.4 The compliance monitoring program must contain an implementation schedule for monitoring activities to be completed.
- 4.5 The Director may require the Proponent to amend the compliance monitoring program at any time. Should an amendment be required, the Director will notify the Proponent in writing of the required amendment and the date by which the Proponent must complete and submit the amendment to the Director.
- 4.6 The Proponent shall submit the amended compliance monitoring program to the Director within the time period specified by the Director.
- 4.7 The Proponent shall implement the compliance monitoring program and any amendments to it.

5. Compliance Reporting

- 5.1 The Proponent shall prepare an annual compliance report outlining the results of the compliance monitoring program (Condition 4 above) and place the document on the public record.
- 5.2 The first compliance report shall be submitted to the Director for review and for the public record no later than one year following the Date of Approval. Each subsequent annual compliance report shall be submitted on the date that is the anniversary of the Date of Approval thereafter. Each report shall cover the previous year to the date of report submission.
- 5.3 The Proponent shall submit annual compliance reports until all conditions are satisfied.

- 5.4 Once all conditions in this Notice of Approval have been satisfied, the Proponent shall notify the Director in writing that the final annual compliance report is being submitted, and that all conditions in this Notice of Approval have been satisfied. The Ministry will confirm whether all conditions have been satisfied and the Director will state this in writing to the Proponent.
- 5.5 The Proponent shall retain either on the Site or in another location approved by the Director, copies of the annual compliance reports for each reporting year and any associated documentation of compliance monitoring activities.
- 5.6 The Proponent shall make the compliance reports and associated documentation available to the Director or a designate in a timely manner when requested to do so by the Ministry.

6. Complaint Protocol

- 6.1 The Proponent shall prepare and implement a complaint protocol that sets out provisions for dealing with and responding to inquiries and complaints during all stages of the Undertaking. The complaint protocol shall include a procedure for notifying the Ministry's Hamilton District Office of the complaints received.
- 6.2 The Proponent shall submit the complaint protocol to the Director for approval and for the public record within one year from the Date of Approval, or 60 days before the start of Construction, whichever is earlier, or by another date agreed upon by the Director.
- 6.3 The Director may require the Proponent to amend the complaint protocol at any time. Should an amendment be required, the Director shall notify the proponent in writing of the amendment required and when the amendment must be completed.
- 6.4 The Proponent shall submit the amended complaint protocol to the Director within the time period specified by the Director.
- 6.5 The Proponent shall implement the complaint protocol and any amendments to it.
- 6.6 The Proponent shall provide a summary on the complaints received and how they were addressed as part of the annual compliance reporting (Condition 5) and post the summary on the website as part of the public record.

7. Consultation with Indigenous Communities

- 7.1 The Proponent shall prepare, in consultation with Indigenous Communities, an Indigenous consultation plan that sets forth:
 - a. how, during the planning, design, Construction, operation, and closure of the Undertaking, the Proponent will consult with Indigenous Communities and provide them with opportunities to be involved in environmental monitoring activities;

- b. how the Proponent will notify Indigenous Communities, using a notification protocol, if archaeological resources or Indigenous remains are encountered during the planning, design, Construction, operation, and closure of the Undertaking; and,
 - c. how the Proponent will issue notices and updates to Indigenous communities on key steps in the planning, design, Construction, operation, and closure of the Undertaking.
- 7.2 90 days before the start of Construction or by such other date as may be agreed to in writing by the Director, the Proponent shall submit the Indigenous consultation plan to the Director for approval, with an outline of how the Proponent consulted on it as per Condition 7.1 above.
- 7.3 Once the Director is satisfied with the Indigenous consultation plan, the Proponent shall implement the Indigenous consultation plan during the planning, design, Construction, operation, and closure of the Undertaking.

8. Air Quality and Odour

- 8.1 When applying for an Environmental Compliance Approval, the Proponent shall provide, to the satisfaction of the Ministry, the following information as part of its application:
 - a. an emissions summary and dispersion modelling report that includes landfill gas;
 - b. an odour assessment and modelling report for the expanded landfill Site;
 - c. a dust management plan for the Site which shall include fugitive dust emissions from all sources at the Site; and
 - d. an odour management plan detailing the measures for addressing the potential odours that may emanate from the Site.
- 8.2 The Proponent shall prepare and implement a landfill gas mitigation plan that specifies measures for monitoring and reducing landfill gas emissions for the Construction, operation, closure and post-closure phases of the expanded landfill Site. The Proponent shall report on changes in landfill gas production in its annual compliance report (Condition 5 above).

9. Groundwater and Surface Water Protection

- 9.1 When applying for an Environmental Compliance Approval, the Proponent shall provide, to the satisfaction of the Ministry, the following information as part of its application:
 - a. information documenting the performance of the existing leachate management system at the Site;
 - b. a description in the design and operations report on how the Proponent will manage the rate of fill and potential leachate generation; and,

- c. a leachate management plan for the vertical landfill expansion.

10. Extreme Weather Events

- 10.1 When applying for an Environmental Compliance Approval, the Proponent shall provide to the satisfaction of the Ministry as part of its application, an assessment of landfill vulnerability to side slope failure due to extreme weather events. The Proponent shall complete a slope stability modelling exercise to determine the appropriate safety factor to be applied to the design of the vertically expanded landfill and identify appropriate mitigation and contingency measures to prevent side slope failure.

11. Waste Diversion

- 11.1 The Proponent shall develop and implement a waste diversion protocol which shall contain information on awareness programs for waste generators and haulers, and on-site waste segregation protocols to maximize the diversion of industrial, commercial and institutional waste, including organics. The Proponent shall submit the waste diversion protocol to the Ministry in its application for an Environmental Compliance Approval and report industrial, commercial and institutional waste diversion amounts in its annual compliance report (Condition 5 above).

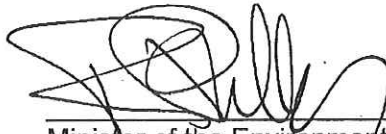
12. Wetland and Species at Risk Protection

- 12.1 The Proponent shall install a permanent silt fence that extends the entire perimeter of the Site property to exclude wildlife from accessing the Site. This exclusion fence shall be routinely monitored and maintained in good working condition throughout the Construction, operation and closure of the landfill.
- 12.2 The Proponent shall train staff in the identification of Blanding's Turtle and other Species at Risk known to be within the general vicinity of the Site. Training shall include Species at Risk awareness and the appropriate steps to take upon encountering a Species at Risk. In the event that a Species at Risk is found on the Site property, all activities that could potentially harm the animal shall cease and a Ministry of Natural Resources and Forestry biologist shall be contacted.
- 12.3 The Proponent shall develop and implement a wetland monitoring program to demonstrate that there are no impairments to water quality, quantity, vegetation, or wildlife in the Cayuga Swamp Wetland Complex located adjacent to the Site as a result of the Undertaking. The Proponent shall prepare wetland monitoring reports outlining the results of the wetland monitoring program. The Proponent shall provide copies of the wetland monitoring reports to the Ministry of Natural Resources and Forestry and submit them to the Ministry as part of its annual compliance report (Condition 5 above).

13. Duration of Approval

- 13.1 If Construction has not commenced within 2 years of the Date of Approval, the Proponent shall conduct a review of the Environmental Assessment and submit that review to the Director. The review shall look at the potential environmental effects and mitigation measures, and identify any changes to these components. If Construction has not commenced within 5 years of the Date of Approval, this Notice of Approval shall expire.

Dated the 15 day of January 2019 at TORONTO.



Minister of the Environment, Conservation and Parks
77 Wellesley Street West
11th Floor, Ferguson Block
Toronto, Ontario
M7A 2T5

Approved by O.C. No. 186/2019

Date O.C. Approved Feb 14, 2019