



Ministry
of the
Environment

Ministère
de
l'Environnement

AMENDMENT TO PROVISIONAL CERTIFICATE OF APPROVAL
WASTE DISPOSAL SITE
NUMBER A321206
Notice No. 1

Corporation of the City of Kawartha Lakes
Box 9000, 26 Francis Street
Lindsay, Ontario
K9V 5R8

Site Location: Fenelon Landfill Site
Part of Lot 16, Concession 4, Township of Fenelon

You are hereby notified that I have amended Provisional Certificate of Approval No. A321206 issued on February 14, 1980 as amended for a Waste Disposal Site, as follows:

to permit the establishment and operation of a Household Hazardous Waste Depot

for the receipt and transfer of household hazardous waste generated in the City of Kawartha Lakes.

Waste classes 112, 113, 121, 123, 135, 145, 147, 148, 212, 213, 221, 232, 241, 242, 252, 261, 263, 269, 312, 331 as defined in the "New Ontario Waste Classes" dated January 1986, or the most recent revision.

Note: Use of the site for any other type of waste is not approved under this Certificate, and requires obtaining a separate approval amending this Certificate.

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

A. DEFINITIONS

1. (a) "Act" means the Environmental Protection Act, R.S.O. 1990, C. E-19 as amended;
- (b) "Director" means a Director of the Environmental Assessment and Approvals Branch, Ontario Ministry of the Environment;
- (c) "District Manager" means the District Manager, Peterborough District Office, Ontario Ministry of the Environment;
- (d) "District Office" means the Peterborough District Office, Eastern Region, Ontario Ministry of the Environment;
- (e) "Ministry" means the Ontario Ministry of the Environment;
- (f) "O. Reg. 347" means Ontario Regulation 347, R.R.O. 1990, as amended; and,
- (g) "Site" means the Household Hazardous Waste Depot being approved under this Provisional Certificate of Approval amendment, located at 341 Mark Rd., Part of Lot 16, Concession 4, Township of Fenelon, City of Kawartha Lakes, Ontario.
- (h) "City or Owner" means the Corporation of the City of Kawartha Lakes and its employees.

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

TERMS AND CONDITIONS

B. GENERAL

2. Except as otherwise provided by these Conditions, the Site shall be designed, developed, used, maintained and operated and all facilities, equipment and fixtures shall be built and installed in accordance with the application for this Provisional Certificate of Approval, dated November 28, 2000, and the plans and specifications listed in Schedule "A".

3. Where there is a conflict between a provision of any document referred to in Condition 2 and the Conditions of this Provisional Certificate of Approval, the Conditions in this Provisional Certificate of Approval shall take precedence.

4. Requirements specified in this Provisional Certificate of Approval are the requirements under the Act. Issuance of this Provisional Certificate of Approval in no way abrogates the City's legal obligations to take all reasonable steps to avoid violating other applicable provisions of the Act and other legislation and regulations and to obtain any other approvals required by legislation.

5. Requirements of this Provisional Certificate of Approval are severable. If any requirement of this Provisional Certificate of Approval, or the application of any requirement of this Provisional Certificate of Approval to any circumstance, is held invalid, the application of such requirement to other circumstances and the remainder of this Provisional Certificate of Approval shall not be affected thereby.

6. The City must ensure compliance with all terms and Conditions of this Provisional Certificate of Approval. Any non-compliance constitutes a violation of the Act and its grounds for enforcement.

7. The City shall ensure that all correspondence made pursuant to this Provisional Certificate of Approval reference this Provisional Certificate of Approval number.

8. The City shall notify the Director in writing of any of the following changes within thirty (30) days of the change occurring:

(a) i. change of Owner or operator of the Site or both;

ii. change of address or address of the new Owner;

iii. change of partners where the Owner or operator is or at any time becomes a partnership, and a copy of the most recent declaration filed under the Business Names Act, 1991 shall be included in the notification to the Director;

iv. any change of name of the corporation where the Owner or operator is or at any time becomes a corporation, and a copy of the most current "Initial Notice or Notice of Change" (form 1 or 2 of O. Reg. 182, Chapter C-39, R.R.O. 1990 as amended from time to time), filed under the Corporations Information Act shall be included in the notification to the Director;

v. change in directors or officers of the corporation where the Owner or operator is or at any time becomes a corporation, and a copy of the most current "Initial Notice or Notice of Change" as referred to in 8(a)(iv), supra; and,

(b) In the event of any change in ownership of the Site, the Owner shall notify in writing the succeeding owner of the existence of this Provisional Certificate of Approval, and a copy of such notice shall be forwarded to the Director.

9. The City shall allow Ministry personnel, or a Ministry authorized representative(s), upon presentation of credentials, to:

(a) carry out any and all inspections authorized by Section 156, 157 or 158 of the Act, Section 15, 16, or 17 of the Ontario Water Resources Act, R.S.O. 1990, or Section 19 or 20 of the Pesticides Act, R.S.O. 1990, as amended from time to time, of any place to which this Provisional Certificate of Approval relates; and,

without restricting the generality of the foregoing to:

(b) i. enter upon the premises where the records required by the Conditions of this Provisional Certificate of Approval are kept;

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- ii. have access to and copy, at any reasonable time, any records required by the Conditions of this Provisional Certificate of Approval;
- iii. inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations required by the Conditions of this Provisional Certificate of Approval; and,
- iv. sample and monitor at reasonable times for the purposes of assuring compliance with the Conditions of this Provisional Certificate of Approval.

10. (a) The City shall, forthwith upon request of the Director, District Manager, or Provincial Officer (as defined in the Act), furnish any information requested by such persons with respect to compliance with this Provisional Certificate of Approval, including but not limited to, any records required to be kept under this Provisional Certificate of Approval; and,

(b) In the event the City provides the Ministry with information, records, documentation or notification in accordance with this Provisional Certificate of Approval (for the purposes of this Condition referred to as "Information"),

i. the receipt of Information by the Ministry;

ii. the acceptance by the Ministry of the Information's completeness or accuracy; or

iii. the failure of the Ministry to prosecute the City, or to require the City to take any action, under this Provisional Certificate of Approval or any statute or regulation in relation to the Information shall not be construed as an approval, excuse or justification by the Ministry of any act or omission of the City relating to the Information, amounting to non-compliance with this Provisional Certificate of Approval or any statute or regulation.

11. Any information relating to this Provisional Certificate of Approval and contained in Ministry files may be made available to the public in accordance with the provisions of the Freedom of Information and Protection of Privacy Act, R.S.O. 1990, C. F-31.

12. All records and monitoring data required by the Conditions of this Certificate of Approval must be kept on the Site for a minimum period of two (2) years.

C. SITE OPERATIONS

13. (a) The operation of this Site is limited to the receipt and transfer of household hazardous waste consisting of waste classes 112, 113, 121, 123, 135, 145, 147, 148, 212, 213, 221, 232, 241, 242, 252, 261, 263, 269, 312 and 331 as defined in the "New Ontario Waste Classes" dated January 1986, or the most recent revision.

(b) The Site shall not receive any Pathological Waste (312) other than syringes, lancets and needles.

14. (a) The Site may only receive waste during the hours of 9:00 a.m. to 5:00 p.m. on Mondays, Thursdays and Saturdays or as agreed upon, in writing, by the District Manager; and

(b) The Site may only transfer waste during the hours of 9:00 a.m. to 3:00 p.m. Monday to Friday and 8 a.m. to 4 p.m. on Saturdays or as agreed upon, in writing, by the District Manager.

(c) No waste shall be stored at the Site for longer than 3 months without written consent of the District Manager.

15. The total amount of Hazardous Waste stored on-site, at any time, shall not exceed 7,000 litres or equivalent (7 cubic metres).

16. The Site shall be maintained in a secure manner, such that unauthorized persons cannot enter the Site.

17. Incoming waste shall be inspected by trained personnel, prior to being accepted at the Site, to ensure that the Site is approved to accept that type of waste.

18. No radioactive wastes shall be accepted at this Site; and,

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- (a) No PCBs (243) shall be accepted at this Site. Oil and oil-based paints which have been manufactured prior to 1972; or whose manufacturing date cannot be determined, may contain PCBs and shall be handled in the manner prescribed;
- (i) The oil and oil-based paints shall not be mixed (bulked) with other paints prior to testing. Paints which are lab-packed are not considered to be mixed under this Certificate;
- (ii) The oil and oil-based paints shall be tested by a certified laboratory for PCB content and shall be handled in the manner outlined in subcondition 18(a)(iii) if found to contain PCBs;
- (iii) If the oil and oil-based paints are found to have PCBs at or above levels identified in subcondition 18(a)(iv), it shall be forthwith reported to the District Manager and shall be managed in accordance with Regulation 362/92 and stored or removed from the Site to an approved PCB storage Site, in accordance with written instructions from the District Manager;
- (iv) The oil and oil-based paints shall not be distributed for reuse if they have any measurable PCB content. The oil and oil-based paint is considered to be a PCB waste, if measured levels are equal to or greater than 50 parts per million;
- (b) Except as specified in subcondition 18(a)(iv), paints collected at the Site may be returned or sold to the general public for reuse provided all transactions are recorded by invoice. Information on the type and volume of paint returned to the public through this Site shall be recorded in the report specified in Condition 33; and,
- (c) Scavenging of waste at this Site shall not be permitted except in accordance with Condition 18 (b).
19. All storage of liquid wastes shall be in accordance with this Ministry's publication "Guidelines of Environmental Protection Measures at Chemical Storage Facilities" dated October 1978.
20. Storage containers shall be clearly labeled indicating the type and nature of the hazardous waste stored as required by regulation. All points of access to the Site shall be posted to warn that the area contains hazardous materials. Smoking restrictions shall be adhered to and non-smoking signs posted as required by regulation.
21. Hazardous Wastes that are received and stored on Site are expected to be in amounts which can be safely handled on the Site. In the event that larger amounts are received than anticipated, the City shall have extra drums and lab-packed containers available on the premises for the storage of the additional waste collected. When Site capacity is reached, arrangements for the removal of waste from the Site shall be made as soon as possible, but in any event, within five (5) working days of receipt of the waste(s). Records shall be maintained each time the capacity is exceeded and maintained on-site in the report specified in Condition 34; and
22. Where applicable, all wastewater must be discharged in accordance with the Ontario Water Resources Act, R.S.O. 1990 and any Municipal Sewer Use By-Law(s).
23. All wastes generated at the Site must be managed and disposed in accordance with the Act and O. Reg. 347.
24. (a) The City shall ensure that the Site is not operated unless all air approvals under Section 9 of the Act, where applicable, have been obtained; and,
- (b) At no time is burning or incineration of any materials at the Site permitted under this Provisional Certificate of Approval.
25. The City must routinely conduct, a visual inspection of the following areas to ensure the Site is secure and that no off-site impacts such as vermin, vectors, odour, dust, and litter, result from the operation of the facility:
- (a) loading/unloading area(s); and,
- (b) transfer area(s), including storage area(s).
26. (a) Prior to operating the Site, the City shall prepare an operations manual for use by Site personnel. The operations manual shall contain the following;

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- (i) outline the responsibilities of Site personnel;
- (ii) personnel training protocols;
- (iii) receiving, screening and manifesting procedures;
- (iv) unloading, handling and storage procedures;
- (v) site inspections, spill, upset and leakage recording procedures;
- (vi) procedures for recording and responding to public complaints; and
- (vii) a generic outline of the annual report described under Condition 34;

(b) A copy of this operations manual shall be kept at the Site, must be accessible to personnel at all times and must be updated as required.

(c) Prior to operating at the Site, the operations manual shall be submitted to the District Manager for review and approval.

27. All operators of the Site shall be trained with respect to the following areas:

- (a) terms, conditions and operating requirements of this Certificate;
- (b) operation and management of the Facility;
- (c) an outline of the responsibilities of Site personnel;
- (d) personnel training protocols;
- (e) any environmental concerns pertaining to the wastes to be Transferred;
- (f) proper receiving and recording procedures (including recording procedures of wastes which are refused at the Site);
- (g) waste paint identification, analysis information and separating procedures;
- (h) proper storage, handling, sorting and shipping procedures;
- (i) occupational health and safety concerns pertaining to the wastes;
- (j) relevant waste management legislation, and regulations, including, but not limited to the Act, and O. Reg. 347; and,
- (k) procedures to be followed in the event of an emergency situation.

D. CONTINGENCY PLAN

28. By May 2001, the City shall have in place a Spill Contingency and Emergency Response Plan for the operation of the Transfer Site. The Plan shall include, but is not necessarily limited to:

- (a) emergency response procedures to be undertaken in the event of a spill or process upset, including specific clean up methods for each individual waste;
- (b) a list of contingency equipment and spill clean up materials, including names and telephone numbers of waste management companies available for emergency response; and,
- (c) a notification protocol, with names and telephone numbers of persons to be contacted, including City personnel, the Ministry of the Environment District Office and the Spills Action Centre, the local Fire and Police Departments, the local Municipality, the local Medical Officer of Health, and the Ministry of Labour.

29. A copy of the Spill Contingency and Emergency Response Plan shall be kept on the Site 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 Fire Department by May 1, 2001.

30. (a) The City shall ensure that the contingency equipment and materials outlined in the Spill Contingency and Emergency Response Plan are immediately available on the Site at all times, in a good state of repair, and fully operational; and,

(b) The City shall ensure that all operating personnel are fully trained in the use, of the contingency equipment and related materials, and in the procedures to be employed in the event of an emergency.

31. The City shall immediately take all measures necessary to contain and clean up any spill or leak which may result from the operation at this Site.

32. All spills and upsets shall be immediately reported to the Ministry's Spills Action Centre at (416) 325-3000 or 1-800-268-6060 and shall be recorded in the log book as to the nature of the spill or upset, and the action taken for clean-up,

correction and prevention of future occurrences.

E. RECORD KEEPING

33. The City shall maintain, at the Site, a log book which records on each day of operation, the following information:

- (a) date of record;
- (b) types, quantities and source of waste received;
- (c) quantities of waste stored on the Site;
- (d) quantities and destination of waste shipped from the Site;
- (e) paints collected at the Site that have been returned or sold to the general public for reuse and the volume of paint returned to the public through this Site;
- (f) results of the inspection required under Condition 25, including the name and signature of the person conducting the inspection; and,
- (g) any spills or upsets as noted in Condition 32.

F. ANNUAL REPORT

34. By March 31, 2002, and on an annual basis thereafter, the City shall retain on-site an annual report covering the previous calendar year. Each report shall include, as a minimum, the following information:

- (a) a summary of the type and quantity of all incoming and outgoing wastes;
- (b) any environmental and operational problems, that could negatively impact the environment, encountered during the operation of the Site and during the facility inspections and any mitigative actions taken;
- (c) a statement as to compliance with all Conditions of this Provisional Certificate of Approval and with the inspection and reporting requirements of the Conditions herein; and,
- (d) any recommendations to minimize environmental impacts from the operation of the Site and to improve Site operations and monitoring programs in this regard.

G. CLOSURE PLAN

35. (a) The City must submit, for approval by the Director, a written Closure Plan for the Site four (4) months prior to closure of the Site. This plan must include, as a minimum, a description of the work that will be done to facilitate closure of the Site and a schedule for completion of that work; and,

(b) Within ten (10) days after closure of the Site, the City must notify the Director, in writing, that the Site is closed and that the Site Closure Plan has been implemented.

SCHEDULE "A"

1. Application for a Provisional Certificate of Approval for a Waste Disposal Site, dated November 28, 2000 and signed by D. Moy, P. Eng., City of Kawartha Lakes.
2. Letter dated January 23, 2001 from J. Butchart, MOE, to D. Moy, P. Eng., City, requesting additional information.
3. Letter dated February 22, 2001 from P. J. Seaton, P. Eng., City, to J. Butchart, MOE, providing supporting documentation.

The reasons for this amendment to the Certificate of Approval are as follows:

1. The reason for Condition 1 is to simplify the wording of the subsequent conditions and define the specific meaning of terms as used in this Provisional Certificate of Approval.
2. The reason for Conditions 2 and 34 is to ensure that the Site is operated in accordance with the application and supporting information submitted by the Applicant, and not in a manner which the Director has not been asked to consider.
3. The reason for Conditions 3, 4, 5, 6, 7, 8, 10, 11 and 12 is to clarify the legal rights and responsibilities of the Applicant.
4. The reason for Condition 9 is to ensure that appropriate Ministry staff have access to the operations of the Site which are approved under this Provisional Certificate of Approval. The Condition is supplementary to the powers of entry

afforded a Provincial Officer pursuant to the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act, as amended.

5. The reason for Conditions 13, 15 and 33 is to ensure that the types and amounts of waste received at the Site are in accordance with that approved under this Provisional Certificate of Approval.
6. The reason for Conditions 16 and 17 is to minimize the risk of unauthorized entry and to ensure the Site is only operated in the presence of trained personnel.
7. The reason for Conditions 14, 18, 19, 20, 21, 22, 23, 24, 25, 30, 31 and 32 is to ensure that the Site is operated in a manner which does not result in a nuisance or a hazard to the health and safety of the environment or people.
8. The reason for Condition 26, 27, 28 and 29 is to ensure that staff are properly trained in the operation of the equipment used at the Site and emergency response procedures. This will minimize the possibility of spills occurring and will enable staff to deal promptly and effectively with any spills that do occur.
9. The reason for Condition 35 is to ensure that the Site is closed in accordance with Ministry standards and to protect the health and safety of the public and the environment.

This Notice shall constitute part of the approval issued under Provisional Certificate of Approval No.A321206 dated February 14, 1980 as amended..

In accordance with Section 139 of the Environmental Protection Act, R.S.O. 1990, Chapter E-19, as amended, you may by written notice served upon me and the Environmental Appeal Board within 15 days after receipt of this Notice, require a hearing by the Board. Section 142 of the Environmental Protection Act, provides that the Notice requiring the hearing shall state:

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

The Notice should also include:

3. The name of the appellant;
4. The address of the appellant;
5. The Certificate of Approval number;
6. The date of the Certificate of Approval;
7. The name of the Director;
8. The municipality within which the waste disposal site is located;

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

This Notice must be served upon:

The Secretary*
Environmental Appeal Board
2300 Yonge St., 12th Floor
P.O. Box 2382
Toronto, Ontario
M4P 1E4

AND

The Director
Section 39, *Environmental Protection Act*
Ministry of the Environment
2 St. Clair Avenue West, Floor 12A
Toronto, Ontario
M4V 1L5

*** Further information on the Environmental Appeal Board's requirements for an appeal can be obtained directly from the Board at: Tel: (416) 314-4600, Fax: (416) 314-4506 or www.ert.gov.on.ca**

The above noted waste disposal site is approved under Section 39 of the Environmental Protection Act.

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DATED AT TORONTO this 28th day of March, 2001

Anne-Maria Pennanen, P.Eng.
Director
Section 39, *Environmental Protection Act*

JB/
c: District Manager, MOE Peterborough

Definition definition, the act of defining, or of making something definite, distinct, or clear: We need a better definition of her responsibilities. See more. the act of defining, or of making something definite, distinct, or clear: We need a better definition of her responsibilities. the formal statement of the meaning or significance of a word, phrase, idiom, etc., as found in dictionaries. a defining or being defined. 2. a statement of what a thing is. 3. a statement of the meaning as of a word or phrase. 4. a. a putting or being in clear, sharp outline. b. The nonsense syllables of the parent have no dictionary definitions. Christianity Today (2000). The extra definition really opens up the eyes. From Middle English diffinicioun, from Middle French definition, from Latin dēfīnītiō, from dēfīnī. IPA(key): /dɛfɪˈnɪʃ(ə)n/, /dɛfɪˈnɪʃ(ə)n/. Hyphenation: def-in-ition. definition (countable and uncountable, plural definitions). (semantics, lexicography) A statement of the meaning of a word or word group or a sign or symbol (dictionary definitions). (usually with the definite article the) A clear instance conforming to the dictionary or textbook definition.