

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 6637-CHML7Q

Issue Date: September 16, 2022

Responsible Energy Inc.
1301 Brockchem Rd, No. 100
Augusta, Ontario
K0E 1P0

Site Location: 1301 Brockchem Road
1301 Brockchem Rd (Augusta)
Augusta Township, United Counties of Leeds and
Grenville
K0E 1P0

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

a waste disposal pilot plant

to be used for the transfer, processing and thermal degradation of the following types of waste/materials;

- a) Carbonaceous biomass:
residual lumber residue (sawdust and woodchips), forest slash and agricultural residue
biosolids (de-watered sludge from Waste Water Treatment Plants)
post recycled materials including plastics
- b) Liquid Industrial Waste:
Waste Classes 211, 212, 241, 266 and 267 as outlined in the New Ontario Waste Classes, January 1986
and as amended.

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

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

"Carbonaceous Feedstock" means the following waste/materials: excluding source separated and any other, recyclable or reusable waste identified in a regulation or approved waste diversion program unless it is residue from the processing of recyclable or reusable waste:

- biomass [residual lumber residue (sawdust and woodchips), forest slash and agricultural residue]
- biosolids (de-watered sludge from Waste Water Treatment Plants)
- post recycled materials including plastics

“EPA” means the Environmental Protection Act, R.S.O. 1990, C.E-19, as amended;

“Approval” means this entire provisional Environmental Compliance Approval document, issued in accordance with the EPA, and includes any schedules to it, the application and the supporting documentation listed in Schedule "A";

“Director” means any Ministry employee appointed in writing by the Minister pursuant to section 5 of the EPA as a Director for the purposes of Part V of the EPA;

“District Manager” means the District Manager of the local district office of the Ministry in which the Site is geographically located;

"Fire Safety Plan" means a Fire Safety Plan for the Site that is deemed to have been found acceptable by the local fire service authority;

"Liquid Industrial Waste" means Waste classes 211, 212, 241, 266 and 267 as outlined in the New Ontario Waste Classes, January 1986, as amended;

“Ministry” means the Ontario Ministry of the Environment, Conservation and Parks;

"NMA" means the Nutrient Management Act, 2002, S.O. 2002, c. 4, as amended.

“OWRA” means the Ontario Water Resources Act, R.S.O. 1990, c. O.40, as amended;

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

“Owner” means any person that is responsible for the establishment or operation of the Site being approved by this Approval, and includes Responsible Energy Inc., its successors and assigns;

“PA” means the Pesticides Act, R.S.O. 1990, c. P-11, as amended from time to time;

"Provincial Officer" means any person designated in writing by the Minister as a provincial officer pursuant to section 5 of the OWRA or section 5 of the EPA or section 17 of PA;

“Reg. 347” means Regulation 347, R.R.O. 1990, General - Waste Management, made under the EPA, as amended from time to time;

“Residual Waste” means waste that is destined for final disposal or further processing at another approved waste disposal Site;

"SDWA" means the Safe Drinking Water Act, 2002, S.O. 2002, c. 32, as amended.

"Site" means the part of the facility located at 1301 Brockchem Road, Augusta Township, United Counties of Leeds and Grenville; that is being leased by the Owner; and

"Trained personnel" means competent personnel that have been trained through instruction and/or practice in accordance with Condition 24.1 of this Approval.

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

TERMS AND CONDITIONS

1.0 Compliance

- 1.1 The Owner and Operator shall ensure compliance with all the conditions of this Approval and shall ensure that any person authorized to carry out work on or operate any aspect of the Site is notified of this Approval and the conditions herein and shall take all reasonable measures to ensure any such person complies with the same.
- 1.2 Any person authorized to carry out work on or operate any aspect of the Site shall comply with the conditions of this Approval.
- 1.3 The Site shall be operated and maintained at all times including management and disposal of all waste in accordance with the EPA, Reg. 347 and the conditions of this Approval. At no time shall the discharge of a contaminant that causes or is likely to cause an adverse effect be permitted.

2.0 Design, Develop, Build, Operate, Modify and Maintain in Accordance

- 2.1 Except as otherwise provided for in this Approval, the Site shall be designed, developed, built, operated, modified and maintained in accordance with the application for this Approval, dated June 13, 2022, the Design and Operations Report, amended as Item (2) of Schedule "A", and any other supporting documentation listed in or added to Schedule "A".

3.0 Interpretation

- 3.1 Where there is a conflict between a provision of any document, including the application, referred to in this Approval, and the conditions of this Approval, the conditions in this Approval shall take precedence.
- 3.2 Where there is a conflict between the application and a provision in any documents listed in Schedule "A", the application shall take precedence, unless it is clear that the purpose of the document was to amend the application and that the Ministry approved the amendment.
- 3.3 Where there is a conflict between any two documents listed in Schedule "A", other than the application, the document bearing the most recent date shall take precedence.
- 3.4 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.

4.0 Other Legal Obligations

4.1 The issuance of, and compliance with, 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 including, but not limited to:
 - (a) obtaining site plan approval from the local municipal authority;
 - (b) obtaining all necessary building permits from the local municipal authority Building Services Division;
 - (c) obtaining approval from the Chief Fire Prevention Officer, local municipal authority: or
- (2) limit in any way the authority of the Ministry to require certain steps be taken or to require the Owner and Operator to furnish any further information related to compliance with this Approval.

5.0 Adverse Effect

5.1 The Owner and Operator shall take steps to minimize and ameliorate any adverse effect on the natural environment or impairment of water quality resulting from the Site, including such accelerated or additional monitoring as may be necessary to determine the nature and extent of the effect or impairment.

5.2 Despite an Owner, Operator or any other person fulfilling any obligations imposed by this Approval the Owner, Operator or any other person remains responsible for any contravention of any other condition of this Approval or any applicable statute, regulation, or other legal requirement resulting from any act or omission that caused the adverse effect to the natural environment or impairment of water quality.

6.0 Change of Owner

6.1 The Owner shall notify the Director in writing, and forward a copy of the notification to the District Manager, within thirty (30) days of the occurrence of any changes:

- (a) the ownership of the Site;
- (b) the Operator of the Site;
- (c) the address of the Owner or Operator;
- (d) the partners, where the Owner is or at any time becomes a partnership and a copy of the most recent declaration filed under the Business Names Act, R.S.O. 1990, c. B-17 shall be included in the notification; and
- (e) the name of the corporation where the Owner is or at any time becomes a corporation, other than a municipal corporation, and a copy of the most current information filed under the Corporations Information Act, R.S.O. 1990, c. C-39 shall be included in the notification.

6.2 No portion of this Site shall be transferred or encumbered prior to or after closing of the Site unless the Director is notified in advance and sufficient financial assurance is deposited with the Ministry to ensure that these conditions will be carried out. In the event of any change in ownership of the Site, other than change to a successor municipality, the Owner shall notify the successor of and provide the successor with a copy of this Approval, and the Owner shall provide a copy of the notification to the District Manager and the Director.

7.0 Financial Assurance

- 7.1 (1) Within twenty (20) days of issuance of the Approval, the Owner shall submit to the Director, financial assurance as defined in Section 131 of the EPA, in the amount of **\$37,500**. This financial assurance shall be in a form acceptable to the Director and shall provide sufficient funds for the analysis, transportation, Site clean-up, monitoring and disposal of all quantities of waste permitted to be on Site at any one time;
- (2) The amount of financial assurance is subject to review at any time by the Director and may be amended at his/her discretion; and
- (3) 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 Owner shall forthwith replace the financial assurance with cash.

8.0 Inspections

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

9.0 Information and Record Retention

- 9.1 Any information requested, by the Ministry, concerning the Site and its operation under this Approval, including but not limited to any records required to be kept by this Approval shall be provided to the Ministry, upon request, in a timely manner.
- 9.2 The receipt of any information by the Ministry or the failure of the Ministry to prosecute any

person or to require any person to take any action, under this Approval or under any statute, regulation or other legal requirement, in relation to the information, shall not be construed as:

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

9.3 All records required by the conditions of this Approval must be retained on Site for a minimum period of two (2) years from the date of their creation.

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

10.0 Air Approval

10.1 Prior to initiating the pilot project operations, the Owner shall seek s. 9, EPA (air approval) and ensure that the Site is operated in accordance with the Environmental Compliance Approval (Air) at all times.

11.0 Service Area and Hours of Operations.

11.1 Only waste that is generated within geographical boundaries of Ontario shall be accepted at the Site.

11.2 The Site may operate twenty-four hours per day, seven days per week, unless otherwise limited by municipal by-laws.

12.0 Signage and Security

12.1 The Owner shall install a sign at the main entrance/exit to the Site on which is legibly displayed the following information:

- (a) the name of the Site and Owner;
- (b) the number of this Approval; and
- (c) a twenty-four (24) hour telephone number that can be used to reach the Owner in the event of a complaint or an emergency.

12.2 The Owner shall operate and maintain the Site in a manner such that the Site is secured against access by unauthorized persons.

13.0 Approved Waste Types

13.1 The Owner may only accept the following waste:

- Carbonaceous Feedstock; and

- Liquid Industrial Waste limited to:
Waste classes 211, 212, 241, 266 and 267 as outlined in the New Ontario Waste Classes, January 1986 and as amended;

- 13.2 (1) The Owner shall ensure all incoming loads are inspected by a trained attendant to ensure only waste approved under this Approval are received at this Site;
- (2) If any incoming waste load is known to, or is discovered to, contain unapproved waste, that load shall not be accepted at the Site; and
- (3) If any unapproved waste is discovered on-site, that waste shall be immediately disposed of in accordance with the EPA and Reg. 347.

14.0 Approved Waste Quantities

- 14.1 The amount of waste received and processed at the Site shall not exceed 5 tonnes per day (based on an annual average) and 1,300 tonnes per year.
- 14.2 The Owner shall not receive and process any source separated and any other, recyclable or reusable waste identified in a regulation or approved waste diversion program unless it is residue from the processing of recyclable or reusable waste.
- 14.3 In the event that waste cannot be processed at the Site in the normal manner, or residual waste cannot be transferred from the Site, the Owner shall cease accepting any additional waste.

15.0 Waste Storage

- 15.1 The maximum amount of waste (solid carbonaceous waste) and liquid industrial waste present at the Site at any one time shall not exceed 5 tonnes, based on an annual average.
- 15.2 All activities related to the unloading, processing, storage and management of waste on-site shall be conducted indoors at all times.

16.0 Operations

- 16.1 The Owner shall develop a comprehensive Incoming Waste and Residual Waste Testing Protocol, which shall be maintained current at all times and kept at the Site in central location that is accessible to Site personnel.
- 16.2 For Liquid Industrial Waste, the Owner shall inspect all incoming Liquid Industrial Waste including chemical characterization documentation to confirm the incoming liquid waste being accepted at the Site is consistent with the approved Liquid Industrial Waste.
- 16.3 The Incoming Waste and Residual Waste Testing Protocol shall address the number of samples required for each Incoming Waste type; sample size; sampling procedures; handling of samples, preparing of samples for analyses, analytical procedures and reporting procedures.

- 16.4 This Protocol and the required justification for the proposed methods shall be documented in writing, kept at the Site at all times and be made available for inspection by the Ministry staff upon request.
- 16.5 Should results of the Residual Waste testing fail to meet the non-hazardous waste criteria specified in Reg. 347, the residual waste shall be considered hazardous waste and shall be handled accordingly.
- 16.6 The Owner shall implement the Incoming Waste and Residual Testing Protocol immediately upon accepting the waste feedstock.
- 16.7 All waste removed from the Site for final disposal shall only be disposed of at a Ministry approved site or a site approved to accept such waste by an appropriate government agency of equivalent jurisdiction.
- 16.8 The Owner shall notify the District Manager in writing no later than five (5) business days prior to the commencement of the pilot study.
- 16.9 This Approval is valid for 365 days within 16 months of the date of issuance of the Approval.
- 16.10 All Liquid Industrial Waste and Carbonaceous Feedstock (unused waste) and/or residual waste shall be removed from the Site within 15 days of the completion of the pilot study or termination/cessation of thermal degradation operations to a facility which is approved to accept that type of waste. In any case, all wastes shall be removed from the site no later than 16 months from the date of issue of this approval.

17.0 Procedures Manual and Preventative Maintenance

- 17.1 A procedures manual specific to the Site shall be prepared at least before three (3) weeks of the commencement of the operations of the pilot study, and it shall be maintained current at all times and kept at the Site in central location that is accessible to Site personnel. The procedures manual shall contain detailed standard operating procedures relating to all aspects of the handling and processing of waste at the Site including contingency procedures to be followed in the event of equipment malfunction, a labour disruption, transportation disruption, inability of receiving sites to accept waste or other business disruption to the operation.
- 17.2 If not already prepared, the Owner shall develop and implement a preventative maintenance program for all on-site equipment associated with the handling and processing of waste at least 2 weeks before the commencement of the pilot study. The preventative maintenance program shall be available on Site for inspection by a Provincial Officer upon request.

18.0 Design and Operations Report

- 18.1 The Design and Operations Report amended as Item (2) of Schedule "A", or as updated, shall be retained at the Site and be available for inspection by Ministry staff.

19.0 Nuisance Control

19.1 The Owner shall operate and maintain the Site such that site operations do not create a nuisance

20.0 Stormwater Management

20.1 The Owner shall manage all discharges from this Site, including sanitary and stormwater runoff, in accordance with appropriate municipal, provincial and/or federal legislation, regulation and by-laws.

21.0 Site Inspections

21.1 Trained Personnel shall carry out a visual inspection of the Site each day the Site is in operation to ensure that:

- (a) the Site is secure;
- (b) that the operation of the Site is not causing any nuisances;
- (c) that the operation of the Site is not causing any adverse effects on the environment; and
- (d) that the Site is being operated in compliance with this Approval.

21.2 Any deficiencies discovered as a result of an inspection carried out under Condition 21.1 shall be remedied immediately, including temporarily ceasing operations at the Site if needed.

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

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

22.0 Complaints

22.1 A designated representative of the Owner shall be available to receive public complaints caused by the operations at the Site twenty-four (24) hours per day, seven (7) days per week.

22.2 If at any time, the Owner receives any environmental complaints from the public regarding the operation of the Site, the Owner shall respond to these complaints according to the following procedures:

- (1) The Owner shall record and number each complaint in a computerized tracking system. The information to be recorded shall include the following:
 - (a) the name, address and the telephone number of the complainant, if the complainant provide this information;
 - (b) the time and date of the complaint; and
 - (c) details of the complaint.

- (2) After the complaint has been received by the Owner, the Owner shall immediately report, either to the District Manager by phone during office hours or to the Ministry's Spills Action Centre at 1-800-268-6060 off office hours, on the receipt of the complaint. The Owner shall immediately initiate investigation of the complaint. The investigation shall include, as a minimum, the following:
 - (a) determination of the activities undertaken in the Site at the time of the complaint;
 - (b) meteorological conditions including, but not limited to the ambient temperature, approximate wind speed and its direction;
 - (c) determination of all the possible cause(s) of the complaint;
 - (d) determination of the remedial action(s) to address the cause(s) of the complaint, and implementation of the remedial action(s) to eliminate the cause(s) of the complaint as soon as practicably possible.
- (3) The Owner shall document the response provided to the complainant, if known, and shall make the document(s) available for inspection by staff of the Ministry upon request. 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(s) would be provided.
- (4) The Owner shall, within one (1) week, submit a report to the District Manager on that complaint, and all proposed action(s) to prevent recurrence of the complaint in the future.

All the information collected and action(s) taken in this step have to be recorded in the computerized tracking system.

22.3 If the District Manager deems the remedial measures taken as per condition No. 22.2 (2) to be unsuitable, insufficient or ineffective, the District Manager may direct the Owner, in writing, to take further measures to address the noted failure, upset or malfunction pursuant to the remedial order section (s.17) or the preventative measures order section (s.18) of the EPA requiring a reduction in the feed rate of Carbonaceous and Liquid Industrial Feedstock to the gasification reactor, cessation of the receipt of the Carbonaceous and Liquid Industrial Feedstock, removal and off-Site disposal of the Carbonaceous and Liquid Industrial Feedstock as well as making repairs or modifications to Equipment or processes at the Site.

23.0 Spill Prevention, Control & Countermeasures Plan

- 23.1 The Owner shall implement and maintain a Spill Prevention, Control & Countermeasures Plan for the Site. The Spill Prevention, Control & Countermeasures Plan shall include, but not necessarily be 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 different type of waste the Site is approved to accept;
 - (b) a list of equipment and spill clean up materials available in case of an emergency;
 - (c) contingency procedures to be followed in the event of equipment malfunction, a labour disruption, transportation disruption, inability of receiving sites to accept waste or other business disruption to the operation; and

- (d) notification protocol with names and telephone numbers of persons to be contacted, including persons responsible for the Site, the Ministry's District Office and Spills Action Centre, the local municipal fire department, the local municipal authority, the local Medical Officer of Health, the Ministry of Labour, and the names and telephone numbers of waste management companies available for emergency response.

23.2 The Owner shall review the Spill Prevention, Control & Countermeasures Plan on an annual basis as a minimum, and shall ensure that the names and telephone numbers of the persons to be contacted as required under Condition 23.1(d) are up-to-date, and that these numbers are prominently displayed and immediately available to all staff and emergency response personnel.

23.3 The equipment, materials and personnel requirements outlined in the Spill Prevention, Control & Countermeasures Plan are required to be kept on Site and shall be immediately available on the Site at all times. The equipment shall be kept in a good state of repair and in a fully operational condition.

23.4 The Owner shall promptly take all necessary steps to contain and clean up any spills or upsets which result from this operation. All spills and upsets shall be recorded in a written log or an electronic file format, as to the nature of the spill or upset, and action taken for clean-up, correction and prevention of future occurrences.

23.5 All spills, as defined in the EPA, shall be immediately reported to the Ministry's Spill Action Centre at 1-800-268-6060 and to the local municipal authority.

24.0 Training

24.1 By no later than 2 weeks of the issuance of the Approval and before the commencement of the pilot study, a training plan specific to the Site shall be developed and implemented to ensure that all employees that operate the Site or carry out any activity required under this Approval are trained in its operation.

24.2 The training plan shall require and ensure through proper written records that all persons directly involved with activities relating to the Site have been trained with respect to:

- (a) relevant waste management legislation, regulations and guidelines;
- (b) major environmental concerns pertaining to the waste to be handled;
- (c) occupational health and safety concerns pertaining to the processes and wastes to be handled;
- (d) management procedures including the use and operation of equipment for the processes and wastes to be handled;
- (e) the Spill Prevention, Control & Countermeasures Plan and in the procedures to be employed in the event of an emergency;
- (f) specific written procedures for refusal of unacceptable waste loads;
- (g) contingency procedures;
- (h) specific written procedures for the control of nuisance conditions; and
- (i) the requirements of this Approval.

24.3 The Owner shall maintain a written record of training at the Site which includes:

- (a) date of training;
- (b) the name and signature of the person who has been trained; and
- (c) description of the training provided.

24.4 The Owner shall ensure that Trained personnel is/are on duty at all times when the Site is open to carry out any activity required under this Approval.

25.0 Record Keeping

25.1 The Owner shall maintain a daily record either electronically or in a log book which shall include the following information:

- (a) the type, date and time of arrival, source, and quantity (by weight) of all waste received at the Site;
- (b) the date, type, quantity (by weight) and destination of all residual waste transferred from the Site;
- (c) a record of any waste refusals which shall include: amounts, reasons for refusal and actions taken;
- (d) a record of the daily inspections required by Condition 21.0; and
- (e) a record of any spills or process upsets at the site, the nature of the spill or process upset and the action taken for the clean up or correction of the spill, the time and date of the spill or process upset, and for spills, the time that the Ministry and other persons were notified of the spill in fulfilment of the reporting requirements in the EPA.

26.0 Reporting Requirements

The Owner shall retain a Professional Engineer to prepare the following reports:

Quarterly Reports

- (1) quarterly progress reports, prepared and submitted to the District Manager within thirty (30) business days after the end of each quarter starting from the date of the date of issuance of the Approval. The quarterly report shall summarize the activities that have been undertaken in that quarter and the emissions from the Site. The quarterly report shall include the information as following:
 - (a) a detailed monthly summary of the information required by Condition 25.1 (a) and 25.1 (b) including an annualized reconciliation between all wastes received and processed at the Site and all residual wastes and processed wastes transferred from the Site;
 - (b) a summary of waste loads refused including the generator of the load, the licensed hauler of the load if the generator can not be determined, the date of refusal and reason for refusal of the load;

- (c) any environmental and operational problems, that are likely to negatively impact the environment, encountered during the operation of the Site and during the site inspections and any mitigative actions taken;
- (d) a summary of complaints received and the actions taken to mitigate the issue associated with the complaint;
- (e) a summary of any changes to the Design and Operations Report that have been approved by the Director since the last annual report;
- (f) a summary of any changes to the Design and Operations Report Design and the Spill Prevention Control and Countermeasures Plan that were made in accordance with Condition 23.0 of this Approval; and
- (g) any recommendations to minimize environmental impacts from the operation of the Site and to improve Site operations and monitoring programs in this regard.

Semi-annual Reports

- (2) semi-annual reports, prepared and submitted to the District Manager, for each six-month period after the date of issuance of the Approval, on how the operation of the Site complied with requirements of EPA and the terms and conditions of this Approval in that period.

Final Assessment Report

- (3) a final assessment report, prepared and submitted to the Director and the District Manager not later than three (3) months after Carbonaceous Feedstock is last processed at the Site or completion of the pilot study or termination of the thermal degradation operations, including all the information as required by the Quarterly Report.

Non-compliance Report

- (4) non-compliance report, prepared and submitted to the District Manager immediately when the Owner is aware of any non-compliance with the EPA or any condition or requirement of this Approval.

27.0 Closure Plan

- 27.1 (1) Four (4) months prior to the permanent closure of the Site the Owner shall submit to the District Manager written notification of the decision to cease activities and a schedule for the implementation of the activities in accordance with the decommissioning activities outlined in the Schedule "A".
- (1) The Owner shall submit to the District Manager written notification of the decision to cease activities at the Site and a schedule for the implementation of the activities in accordance with the decommissioning activities outlined in the Schedule "A". The notification and schedule shall be submitted either four (4) months prior to the planned the permanent closure of the Site or forthwith in the situation of an unplanned permanent closure of the Site or indefinite cessation of Site activities.
- (2) Within ten (10) days after closure of the Site, the Owner shall notify the Director and the

District Manager, in writing, that the Site is closed and that the decommissioning activities have been completed.

28.0 Site Construction

28.1 Construction of the waste disposal pilot facility shown in Item 2 of Schedule "A" must be completed within 2 years of the later of:

- (a) the date this Approval is issued; or
- (b) 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.

28.2 This Approval ceases to apply in respect of the aspects of the Site noted above that have not been constructed or installed before the later of the dates identified in Condition 28.1 above.

SCHEDULE "A"

This Schedule "A" forms part of the Approval:

1. Application for an Environmental Compliance Approval for a Waste Disposal Site, submitted by Responsible Energy Inc. and signed by Graham Houze, VP innovations, dated June 13, 2022, including all supporting documentation.
2. Document entitled "Submission of Environmental Compliance Approval Application for Operation of a Small Scale Research and Development Project (gasification reactor)" prepared by Responsible Energy Inc., dated June 23, 2022.
3. Document "Information required to answer the Questions in Approval application form", Streamlined EA process for small R & D facility" prepared by Responsible Energy Inc.

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

The reason for the definitions is to simplify the wording of the subsequent conditions and define the specific meaning of terms as used in this Approval.

2. The reason for Conditions 1.0, 3.0, 4.0, 5.0 and 9.0 is to clarify the legal rights and responsibilities of the Owner and Operator.
3. The reason for Conditions 2.0, 10.0, 16.0, 17.0 and 18.0 is to ensure that the Site is operated in accordance with the application and supporting documentation submitted by the Owner, and not in a manner which the Director has not been asked to consider.
4. The reasons for Condition 6.1 is to ensure that the Site is operated under the corporate name which appears on the application form submitted for this Approval and to ensure that the Director is informed of any changes.
5. The reasons for Condition 6.2 are to restrict potential transfer or encumbrance of the Site without the approval of the Director and to ensure that any transfer of encumbrance can be made only on the basis that it will not endanger compliance with this Approval.
6. The reason for Condition 7.0 is to ensure that sufficient funds are available to the Ministry to clean up the Site in the event that the Owner is unable or unwilling to do so.
7. The reason for Condition 8.0 is to ensure that appropriate Ministry staff have ready access to the Site for inspection of facilities, equipment, practices and operations required by the conditions in this Approval. This condition is supplementary to the powers of entry afforded a Provincial Officer pursuant to the EPA and OWRA.
8. The reason for Condition 11.1 is to specify the approved service area from which waste may be accepted at the Site.
9. The reason for Condition 11.2 is to specify the hours of operation for the Site.
10. The reason for Condition 12.1 is to ensure that users of the Site are fully aware of important information and restrictions related to Site operations and access under this Approval.
11. The reasons for Condition 12.2 is to ensure the controlled access and integrity of the Site by preventing unauthorized access when the Site is closed and no site attendant is on duty.
12. The reasons for Conditions 13.0, 14.0, and 15.0 are to specify the types of waste that may be accepted at the Site, the amounts of waste that may be stored at the Site and the maximum rate at which the Site may receive and ship waste based on the Owner's application and supporting documentation.
13. The reason for Conditions 19.0 and 20.0 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.

14. The reason for Condition 21.0 is to ensure that detailed records of Site inspections are recorded and maintained for inspection and information purposes.
15. The reason for Condition 22.0 is to ensure that any complaints regarding Site operations at the Site are responded to in a timely manner.
16. The reasons for Condition 23.0 is to ensure that an Emergency Response Plan is developed and maintained at the Site and that staff are properly trained in the operation of the equipment used at the Site and emergency response procedures.
17. The reason for Condition 24.0 is to ensure that the Site is operated by properly Trained staff in a manner which does not result in a hazard or nuisance to the natural environment or any person.
18. The reasons for Condition 25.0 is to provide for the proper assessment of effectiveness and efficiency of site design and operation, their effect or relationship to any nuisance or environmental impacts, and the occurrence of any public complaints or concerns. Record keeping is necessary to determine compliance with this Approval, the EPA and its regulations.
19. The reasons for Condition 26.0 are to ensure that regular review of site development, operations and monitoring data is documented and any possible improvements to site design, operations or monitoring programs are identified. An annual report is an important tool used in reviewing site activities and for determining the effectiveness of site design.
20. The reasons for Condition 27.0 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.
21. The reason for Condition 28.0 is to make sure the proposed new facility will be built within 5 years from the original Approval date in 2017.

In accordance with Section 139 of the *Environmental Protection Act*, you may by written notice served upon me and the Ontario Land Tribunal within 15 days after receipt of this notice, require a hearing by the Tribunal. Section 142 of the *Environmental Protection Act* provides that the notice requiring the hearing ("the Notice") shall state:

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

The Notice should also include:

1. The name of the appellant;
2. The address of the appellant;
3. The environmental compliance approval number;
4. The date of the environmental compliance approval;
5. The name of the Director, and;
6. The municipality or municipalities within which the project is to be engaged in.

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

This Notice must be served upon:

Registrar*
Ontario Land Tribunal
655 Bay Street, Suite 1500
Toronto, Ontario
M5G 1E5
OLT.Registrar@ontario.ca

and

The Director appointed for the purposes of
Part II.1 of the *Environmental Protection Act*
Ministry of the Environment,
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

* **Further information on the Ontario Land Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349 or 1 (866) 448-2248, or www.olt.gov.on.ca**

The above noted activity is approved under s.20.3 of Part II.1 of the *Environmental Protection Act*.

DATED AT TORONTO this 16th day of September, 2022



Mohsen Keyvani, P.Eng.
Director
appointed for the purposes of Part II.1 of the
Environmental Protection Act

AQ/

c: District Manager, MECP Kingston - District
Gordon Fraser, Responsible Energy Inc.