

ENVIRONMENTAL ASSESSMENT ACT

SECTION 9

NOTICE OF APPROVAL TO PROCEED WITH THE UNDERTAKING

RE: An Environmental Assessment for the Capital Region Resource Recovery Centre

Proponent: Taggart Miller Environmental Services

EA File No.: EA-03-08-02

TAKE NOTICE that the period for requesting a hearing, provided for in the Notice of Completion of the Review for the above-noted application, expired on May 20, 2016.

Having considered the purpose of the Environmental Assessment Act, the approved Terms of Reference, the Environmental Assessment, the Ministry Review of the Environmental Assessment and submissions 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, on balance, 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 prevented, changed, mitigated, or remedied.
- (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) All comments from government agencies, the public and Indigenous communities have been appropriately addressed.
- (8) 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 (such as clearing trees etc.), but does not include tendering of contracts.

"date of approval" means the date on which the Order in Council was approved by the Lieutenant Governor.

"Director" means the Director of the Environmental Approvals Branch.

"EAB" means the Environmental Approvals Branch of the Ministry of the Environment and Climate Change.

"CRRRC Environmental Assessment" means the document titled Environmental Assessment of the Proposed Capital Region Resource Recovery Centre, December 2014, including Addenda.

"ministry" means the Ministry of the Environment and Climate Change.

"CLC" means Community Liaison Committee.

"program" means compliance monitoring program.

"proponent" means Taggart Miller Environmental Services.

"seismic occurrence" means a moderate earthquake having a magnitude of at least 5 on the Richter scale.

"site" means the proponent's 184 hectare property east of Boundary Road and southeast of Highway 417/Boundary Road interchange, City of Ottawa.

"undertaking" means the construction and operation of the Capital Region Resource Recovery Centre, which includes:

- a materials recovery and recycling operation for incoming Industrial, Commercial and Institutional (IC&I) and Construction and Demolition (C&D) waste;
- an organics processing facility for the portion of the IC&I waste stream that has high organic content;
- a contaminated soil treatment and management of surplus soil facility;
- a landfill gas collection facility;
- a leachate pre-treatment facility; and,
- a residual waste disposal facility, with a capacity of up to 10.7 million cubic metres.

2. General Requirements

- 2.1 The proponent shall implement the undertaking in accordance with the CRRRC Environmental Assessment which is hereby incorporated in this approval by reference except as provided in these conditions and as provided in any other approval or permit that may be issued for the site.
- 2.2 The proponent shall fulfill all commitments made during the environmental assessment process.
- 2.3 Any proposed changes to the CRRRC Environmental Assessment and/or the undertaking shall be made in accordance with the Environmental Assessment Act and the amending procedure outlined in the CRRRC Environmental Assessment.
- 2.4 These conditions do not prevent more restrictive conditions being imposed under other statutes.
- 2.5 Where a document is required to be posted on a website, the Director may determine the length of time for which the document must be posted.

3. Public Record

- 3.1 Where a document is required for the public record, the proponent shall provide a copy of the document to the Director.
- 3.2 The EAB file number EA-03-08-02 and the EAIMS number 10261 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 under which condition the document is.
- 3.4 Documents may be provided electronically where appropriate. If the ministry requests that the document be provided in hardcopy, the proponent shall provide the document in hardcopy within 15 business days to the Director.

4. Compliance Monitoring Program

- 4.1 The proponent shall prepare and implement a Compliance Monitoring Program.
- 4.2 The Compliance Monitoring Program shall be submitted to the Director a minimum of 60 days prior to the start of construction or such other date the Director agrees to in writing.
- 4.3 The Compliance Monitoring Program shall be included in the public record and shall be posted on the proponent's website at the time of submission.
- 4.4 The Compliance Monitoring Program shall include updated reports on the:
 - a. implementation of the undertaking, including mitigation measures;
 - b. post-approval consultation with the public and Indigenous communities;
 - c. completion of any outstanding studies or work to be undertaken;
 - d. compliance with the conditions in this Notice of Approval;
 - e. status of commitments made during the Environmental Assessment Act application process;
 - f. actualization of the targets for waste diversion set out in the Waste Diversion Protocol;
 - (i) by waste type by year;
 - (ii) by waste type showing year over year changes;
 - g. steps taken to reach the targets for waste diversion set out in the Waste Diversion Protocol and any additional proposed measures if targets are not being met; and
 - h. year over year changes in greenhouse gas emissions.
- 4.5 The Compliance Monitoring Program must contain an implementation schedule.
- 4.6 The Director may amend the Compliance Monitoring Program at any time by providing notice to the proponent in writing. The proponent shall amend the Compliance

Monitoring Program document in accordance with the Director's notice and shall carry out the amended Compliance Monitoring Program.

- 4.7 The proponent shall make the Compliance Monitoring Program documentation available to the ministry or its designate upon request in a timely manner when so requested by the ministry.

5. Compliance Reporting

- 5.1 The proponent shall prepare an annual compliance report documenting the results of the Compliance Monitoring Program (Condition 4 above).
- 5.2 The first compliance report shall be submitted to the Director for the public record no later than one year following the date of approval. Each subsequent compliance report shall be submitted within 12 months of the submission of the previous report. Each report shall cover the previous 12 month period.
- 5.3 The proponent shall submit an annual compliance report until the Director provides notice otherwise.
- 5.4 The proponent shall retain, either onsite or in another location approved by the Director, copies of each of the annual compliance reports and any associated documentation regarding compliance monitoring activities.
- 5.5 The compliance reports and supporting documentation shall be posted on the proponent's website.
- 5.6 The proponent shall make the compliance reports and supporting documentation available to the ministry or its designate upon request in a timely manner when requested to do so by the ministry.

6. Community Liaison Committee

- 6.1 The proponent shall maintain a CLC to provide a forum for public concerns to be raised and for mitigation measures to be discussed.
- 6.2 Interested members from the Township of Russell shall be invited to participate in the CLC.
- 6.3 If there is no interest from the public in the CLC, the proponent may discontinue the CLC. The proponent shall re-establish the CLC at the request of the public.
- 6.4 The CLC, as required, shall serve for the dissemination, review and exchange of information and monitoring results relevant to the undertaking.

7. Complaint Protocol

- 7.1 The proponent shall prepare and implement a protocol establishing a procedure for addressing inquiries and complaints with respect to the undertaking.

- 7.2 The proponent shall submit the Complaint Protocol to the Director at a minimum the earlier of one year from the date of approval, or 60 days before the start of construction.
- 7.3 The Director may amend the Complaint Protocol at any time by providing notice to the proponent in writing. The proponent shall amend the Complaint Protocol document in accordance with the Director's notice and shall carry out the amended Complaint Protocol.
- 7.4 The proponent shall submit the amended Complaint Protocol to the Director within the time period specified by the Director.

8. Climate Change Considerations

- 8.1 The proponent shall include with its application for an Environmental Compliance Approval:
- a) an assessment of the largest ten (10) storm events in the past five (5) years.
 - b) an assessment of whether the proposed stormwater management system has the capacity to contain the events.
 - c) a discussion of potential contingency plans to address extreme weather events in the future should the frequency of such storms increase and capacity become an issue.
- 8.2 The proponent shall study the feasibility of utilizing the landfill gas collected at the site for beneficial uses (i.e. electricity or heat generation) rather than just flaring the gas. The results of the study shall be provided to the Director 60 days prior to the proponent accepting waste in the residual waste disposal facility.

9. Traffic Study Commitments

- 9.1 Prior to the start of construction, the proponent shall consult with the Ministry of Transportation on the commitments outlined in the CRRRC EA, including:
- a) intersection improvements at the Site access location off Boundary Road (left turn lane into the Site); and
 - b) on-Site queuing area of sufficient capacity to avoid truck queuing on Boundary Road.

10. Waste Diversion

- 10.1 The proponent shall not accept waste in the residual waste landfill until the waste diversion facilities and/or operations that form part of this undertaking as contemplated in the CRRRC EA have also been constructed and are operational, including the construction and demolition processing facility, materials recovery facility, organics processing facility, compost processing and storage pad, and contaminated soil treatment and soil surplus stock piles.

11. Leachate Treatment Plan

11.1 The proponent shall include in its application for an Environmental Compliance Approval a proposed Leachate Treatment Plan that outlines the long-term plan for pre-treatment at the site, transport, and delivery to the receiving facility. The Leachate Treatment Plan shall include, but is not limited to, contingency measures for:

- a) accommodating short-term disruptions at the receiving leachate treatment facility,
- b) spills; and
- c) potential effects due to seismic events.

12. Odour Abatement Plan

12.1 The proponent shall develop an Odour Abatement Plan detailing the measures for addressing the potential odours that may emanate from the site. The proponent shall submit the plan to the ministry as part of the application for approval under Part V of the Environmental Protection Act.

13. Dust Controls

13.1 The proponent shall install a dust collection system at the Materials Recovery and Recycling Facility and the Construction and Demolition Processing Facility.

13.2 The proponent shall prepare a Dust Management Plan for the site and shall submit the plan to the ministry as part of the application for approval under Part II.1 of the Environmental Protection Act. The plan shall include fugitive dust from all sources on the site.

14. Seismic Inspections

14.1 The proponent shall include an annual inspection of the site as part of its Compliance Monitoring Program. The purpose is to determine that all landfill components are in good working order. The inspection shall be carried out by a person(s) qualified to assess the proper functioning of the landfill components. The results of the inspection shall be included in the Compliance Reports required by Condition 5 of this approval. The frequency of the inspections may be changed by the Director by giving notice in writing to the proponent.

14.2 Within 24 hours of a seismic occurrence, the proponent shall have a person(s) qualified to do so evaluate and ensure that the landfill components are in good working order. The proponent shall submit to the District Manager a written report from the person(s) conducting the evaluation of the landfill components within five business days of the seismic occurrence. The requirement for these inspections may be changed by the Director by giving notice in writing to the proponent.

15. Review and Duration of Approval

- 15.1 If, within 5 years of the date of approval, the proponent has not commenced construction of the undertaking, the proponent shall undertake a review of the CRRRC Environmental Assessment. The proponent shall review whether the effects analysis, anticipated net effects, and associated mitigation measures set out in the CRRRC Environmental Assessment remain accurate for the undertaking, and identify any changes to these.
- 15.2 The proponent shall provide to the ministry a report that sets out the findings of its review. The report shall be submitted to the Director at least 90 days prior to the commencement of construction. The proponent shall also, at the same time, provide the report to the Indigenous communities consulted on the CRRRC Environmental Assessment, the CLC and the City of Ottawa. The proponent shall also post the review of the CRRRC Environmental Assessment on the proponent's website at the time of submission.
- 15.3 Construction of the undertaking must commence within 10 years of the date of approval or this approval expires.

Dated the 17 day of May 2017 at TORONTO.



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

Approved by O.C. No. 1088/2017

Date O.C. Approved May 31, 2017