

**RENEWABLE ENERGY APPROVAL**NUMBER 8541-9HSGG3  
Issue Date: October 1, 2014Grimsby Energy Incorporated  
231 Roberts Road  
Grimsby, Ontario  
L3M 5N2Project: Grimsby Energy Inc. Anaerobic Digester  
Location: 442 Sobie Rd  
Grimsby Town, Regional Municipality of Niagara  
L3M 4E7

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

- the construction, installation, use, operation, maintenance, and retiring of a Class 3 anaerobic digestion facility with a nameplate capacity of 1,000 kilowatts of electricity (kW<sub>el</sub>) as outlined in Schedule "A".

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

- (1) "Acoustic Assessment Report" means the report, prepared in accordance with Publication NPC-233 submitted in support of the application, that documents all sources of noise emissions and Noise Control Measures present at the Facility. "Acoustic Assessment Report" also means the Acoustic Assessment Report prepared by Conestoga-Rovers & Associates Ltd., dated March 2014 and signed by Erik Martinez, P.Eng.
- (2) "Act" means the *Environmental Protection Act*, R.S.O 1990, c.E.19, as amended;
- (3) "Activated Carbon Units" means the activated carbon adsorption units, serving the two (2) liquid Biomass receiving tanks and one (1) pasteurizer receiving tank, described in the Company's application, this Approval and in the supporting documentation submitted with the application, to the extent approved by this Approval.
- (4) "Adverse Effect" has the same meaning as in the Act;
- (5) "Agricultural Waste" has the same meaning as in Reg. 347;

- (6) "Application" means the application for a Renewable Energy Approval dated February 26, 2013, and signed by James Detenbeck, President, Grimsby Energy Inc., and all supporting documentation submitted with the application, including amended documentation submitted up to September 2, 2014;
- (7) "Approval" means this Renewable Energy Approval issued in accordance with Section 47.4 of the Act, including any schedules to it;
- (8) "Biomass" means solid or liquid organic waste derived from plants or animals, all readily biodegradable, and as further described in Condition No. 38(2) of this Approval;
- (9) "CFIA" means the Canadian Food Inspection Agency;
- (10) "Company" means Grimsby Energy Inc., and includes its successors and assignees;
- (11) "DAF" means organic waste matter produced in a dissolved air flotation process used for the treatment of wastewater from facilities where food or feed is processed or prepared;
- (12) "Decommissioning Plan Report" means the decommissioning plan report identified in item 3 of Table 1 of O. Regulation 359/09;
- (13) "Design and Operations Report" means the report included in the Application and entitled "Design and Operations Report, Grimsby Energy Inc., December 30, 2012, Riepma Consultants Inc.";
- (14) "Director" means a person appointed in writing by the Minister of the Environment and Climate Change pursuant to section 5 of the Act as a Director for the purposes of section 47.5 of the Act;
- (15) "District Manager" means the District Manager, of the appropriate local district office of the Ministry where the Facility is geographically located;
- (16) "Equipment" means the Activated Carbon Adsorption Units, the reciprocating engine generators, the flare, the associated ancillary equipment and associated infrastructure identified in this Approval and as further described in the Application, to the extent approved by this Approval.
- (17) "Exhausted" means the capacity of the activated carbon to adsorb contaminant emissions is reached and the Activated Carbon Adsorption Unit is no longer able to effectively reduce emissions.
- (18) "Facility" means the renewable energy generation facility, including the Equipment located at 442 Sobie Road, Part Lot 1 and 2, Concession 6, Town of Grimsby, Niagara Region, Ontario, as described in this Approval and as further described in the Application, to the extent approved by this Approval;
- (19) "Farm Operation" has the same meaning as in Reg. 347;
- (20) "Fertilizer" means any substance or mixture of substances containing nitrogen, phosphorus, potassium or other plant food, that is manufactured, sold or represented for use as a plant nutrient, as defined in the *Fertilizers Act* ;
- (21) "*Fertilizers Act* " means the *Fertilizers Act* , R.S., 1985, c-F-10, as amended;

- (22) "FOG" means fats, oils and grease (FOG), of plant and animal origin, and accompanying food residuals collected from grease interceptors and/or grease traps at food production, food processing and/or food wholesale and retail facilities;
- (23) "Liquid Digestate" means the liquid portion of the anaerobically digested (processed) Biomass at the Facility;
- (24) "Ministry" means the ministry of the government of Ontario responsible for the Act, NMA, OWRA, PA, and SDWA, and includes all officials, employees or other persons acting on its behalf;
- (25) "NASM" or "Non-agricultural Source Material" has the same meaning as in O. Reg. 267/03;
- (26) "NMA" means the *Nutrient Management Act, 2002*, S.O. 2002, c. 4, as amended;
- (27) "Noise Control Measures" means measures to reduce the noise emission from the Facility including, but not limited to silencers, acoustic louvres, enclosures, absorptive treatment, plenums and barriers. It also means the noise control measures detailed in Schedule B of this Approval.
- (28) "Odour Management Plan" means a document or a set of documents that provides written instructions to staff of the Company, for the purpose of meeting the requirements of Condition 28 of this Approval.
- (29) "O. Reg. 267/03" means Ontario Regulation 267/03 "General" made under the NMA;
- (30) "O. Reg. 359/09" means Ontario Regulation 359/09 "Renewable Energy Approvals under Part V.0.1 of the Act" made under the Act;
- (31) "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;
- (32) "PA" means the *Pesticides Act*, R.S.O. 1990, c. P-11, as amended;
- (33) "Processed Material" means Biomass that has undergone processing as approved under this Approval but has not met the criteria to be considered a Fertilizer and therefore is considered Processed Organic Waste or NASM;
- (34) "Processed Organic Waste" has the same meaning as in Reg. 347;
- (35) "Provincial Officer" means any person designated in writing by the Minister as a provincial officer pursuant to Section 5 of the OWRA, Section 5 of the Act, Section 17 of the PA, Section 4 of the NMA, or Section 8 of the SDWA;
- (36) "Publication NPC-232" means Ministry Publication NPC-232 "Sound Level Limits for Stationary Sources in Class 3 Areas (Rural)", October 1995 as amended.
- (37) "Publication NPC-233" means the Ministry Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October, 1995 as amended.
- (38) "Reg. 347" means Regulation 347 "General - Waste Management", R.R.O. 1990, made under the Act;
- (39) "Rejected Waste" means the incoming Biomass received at the Facility that does not meet the incoming waste quality criteria set out in this Approval or which cannot be anaerobically digested;

- (40) "Residual Waste" means waste resulting from the storage and/or processing of the Biomass at the Facility and which cannot be anaerobically digested and is destined for final disposal;
- (41) "SDWA" means *Safe Drinking Water Act, 2002* , S.O. 2002, c. 32, as amended;
- (42) "Solid Digestate" means the solid portion of the anaerobically digested (processed) Biomass at the Facility;
- (43) "Source Separated Organics" or "SSO" has the same meaning as in Ontario Regulation 160/99 "Definitions and Exemptions" made under the *Electricity Act, 1998* ;
- (44) "SRM" means waste that includes, at a minimum, but is not limited to, (a) the skull, brain, trigeminal ganglia, tonsils, spinal cord, and dorsal root ganglia of cattle aged 30 months or older; and (b) the distal ileum of cattle of all ages. SRM may also include other additional materials as defined by the federal Health of Animals Regulations, C.R.C. c. 296, as amended;
- (45) "Substantiated Complaint" means a complaint received either by the Company or the District Manager that has been confirmed by the Ministry, the cause of which is attributed to the Company's activities at the Facility;
- (46) "Trained Personnel" means persons knowledgeable in the following through instruction and/or practice:
- i. relevant waste management legislation, regulations and guidelines;
  - ii. major environmental concerns pertaining to the waste to be handled;
  - iii. occupational health and safety concerns pertaining to the processes and wastes to be handled;
  - iv. management procedures including the use and operation of equipment for the processes and wastes to be handled;
  - v. record keeping procedures;
  - vi. emergency response procedures;
  - vii. specific written procedures for the control of Adverse Effects from the Facility;
  - viii. specific written procedures for refusal of unacceptable waste loads; and
  - ix. the requirements of this Approval.

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

## **TERMS AND CONDITIONS**

### **GENERAL**

#### **Compliance**

1. The Company shall construct, install, use, operate, maintain and retire the Facility in accordance with the terms and conditions of this Approval and the Application and in accordance with the following schedules attached hereto:

Schedule A – Facility Description;  
Schedule B – Noise Control Measures; and

2. The Company shall ensure a copy of this Approval is:

- (1) accessible, at all times, by Company staff operating the Facility and;
  - (2) submitted to the clerk of each local municipality and upper-tier municipality in which the Facility is situated along with the Application.
3. If the Company has a publicly accessible website, the Company shall ensure that the Approval and the Application are posted on the Company's publicly accessible website within five (5) business days of receiving this Approval.
  4. The Company shall ensure compliance with all the conditions of this Approval and shall ensure that any person authorized to carry out work on or operate any aspect of the Facility is notified of this Approval and the conditions herein and shall take all reasonable measures to ensure any such person complies with the same.
  5. Any person authorized to carry out work on or operate any aspect of the Facility shall comply with the conditions of this Approval.

### ***Interpretation***

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

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

8. The issuance of, and compliance with the conditions of this Approval does not:
  - (1) relieve any person of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement; or
  - (2) limit in any way the authority of the Ministry to require certain steps be taken or to require the Company to furnish any further information related to compliance with this Approval.

### ***Adverse Effects***

9. The Facility shall be constructed, installed, used, operated, maintained, and retired in a manner which ensures the health and safety of all persons and does not cause an Adverse Effects.
10. The Company shall take steps to minimize and ameliorate any Adverse Effect resulting from the operations at the Facility, including such accelerated or additional monitoring as may be necessary to determine the nature and extent of the Adverse Effect.

11. Despite the Company or any other person fulfilling any obligations imposed by this Approval, the person remains responsible for any contravention of any other condition of this Approval or any applicable statute, regulation, or other legal requirement resulting from any act or omission that caused the Adverse Effect.
12. If at any time odour, pests, litter, dust, noise or other such negative effects are generated at the Facility and cause an Adverse Effect, the Company shall take immediate appropriate remedial action that may be necessary to alleviate the Adverse Effect, including suspension of all waste management activities if necessary.

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

13. The Company shall notify the Director in writing, and forward a copy of the notification to the District Manager, within thirty (30) days of the occurrence of any of the following changes:
  - (1) the ownership of the Facility;
  - (2) the operator of the Facility;
  - (3) the address of the Company;
  - (4) the partners, where the Company is or at any time becomes a partnership and a copy of the most recent declaration filed under the *Business Names Act*, R.S.O. 1990, c. B.17, as amended, shall be included in the notification;
  - (5) the name of the corporation where the Company is or at any time becomes a corporation, other than a municipal corporation, and a copy of the most current information filed under the *Corporations Information Act*, R.S.O. 1990, c. C.39, as amended, shall be included in the notification.
14. No portion of this Facility shall be transferred or encumbered prior to or after closing of the Facility unless the Company or its successor has deposited with the Ministry sufficient financial assurance for the Director to be satisfied that the conditions of this Approval will be complied with.
15. In the event of any change in ownership of the Facility, other than a change to a successor municipality, the Company shall notify the successor of and provide the successor with a copy of this Approval, and the Company shall provide a copy of the notification to the District Manager and the Director.

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

16. No person shall hinder or obstruct a Provincial Officer from carrying out any and all inspections authorized by the OWRA, the Act, the PA, the SDWA or the NMA of any place to which this Approval relates, and without limiting the foregoing:
  - (1) to enter upon the premises where the approved processing is undertaken, or the location where the records required by the conditions of this Approval are kept;

- (2) to have access to, inspect, and copy any records required to be kept by the conditions of this Approval;
- (3) to inspect the Facility, related equipment and appurtenances;
- (4) to inspect the practices, procedures, or operations required by the conditions of this Approval;
- (5) to conduct interviews with staff, contractors, agents and assignees of the Company; and
- (6) to sample and monitor for the purposes of assessing compliance with the terms and conditions of this Approval or the Act, the OWRA, the PA, the SDWA or the NMA.

### ***Information***

17. Any information requested by the Ministry, concerning the operation of the Facility and its operation under this Approval, including but not limited to any records required to be kept by this Approval, manuals, plans, records, data, procedures and supporting documentation shall be provided to the Ministry, immediately upon request.
18. The receipt of any information by the Ministry or the failure of the Ministry to prosecute any person or to require any person to take any action, under this Approval or under any statute, regulation or other legal requirement, in relation to the information, shall not be construed as:
  - (1) an approval, waiver, or justification by the Ministry of any act or omission of any person that contravenes any term or condition of this Approval or any statute, regulation or other legal requirement; or
  - (2) acceptance by the Ministry of the information's completeness or accuracy.
19. The Company shall ensure that a copy of this Approval, in its entirety and including all its notices of amendment, and the Application, are retained at the Facility at all times.

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

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

### **EXPIRY OF APPROVAL**

23. Construction and installation of the Facility must be completed within three (3) years of the later of:
- (1) the date this Approval is issued; or
  - (2) if there is a hearing or other litigation in respect of the issuance of this Approval, the date that this hearing or litigation is disposed of, including all appeals.
24. This Approval ceases to apply in respect of any portion of the Facility not constructed or installed before the later of the dates identified in Condition No. 23.

#### **WATER TAKING**

25. (1) The Company shall not take more than 50,000 litres of water on any day, by any means during the construction, installation, use, operation, maintenance, and retiring of the Facility.
- (2) If any dewatering is undertaken during construction the water shall be directed into the sedimentation pond before discharging it offsite.

#### **ARCHAEOLOGICAL RESOURCES**

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

#### **AIR AND NOISE CONDITIONS**

#### **ODOUR CONTROL MEASURES**

27. The Company shall take measures to minimize odorous emissions from all potential sources at the Facility.

#### **ODOUR MANAGEMENT PLAN**

28. The Company shall prepare, prior to receipt of any waste at the Facility, implement and update as necessary, an Odour Management Plan identifying fugitive odour emission sources from the operation of the Facility and outlining the physical and procedural controls such as policies and standard operating procedures required in order to prevent or mitigate fugitive odour emissions.

#### **ACTIVATED CARBON ADSORPTION UNITS**

29. The Company shall monitor the operational parameters of the Activated Carbon Adsorption Units, either as specified in the manual of the Activated Carbon Adsorption Units manufacturer, or as deemed necessary in accordance with Facility operational conditions. The results of monitoring these parameters shall be manually or digitally recorded in a log.
30. The Company shall ensure that the activated carbon in the Activated Carbon Adsorption Units is replaced before it is Exhausted.



## **BIOGAS FLARE SYSTEM**

31. The Company shall ensure that the biogas flare system is designed and operated to comply, at all times, with a destruction efficiency of at least 98%.
32. The Company shall maintain the biogas flare system, so that in the instance of a process upset and/or when the reciprocating engine generators are inoperable, that the flare may be utilized to burn off-spec gases and as a fully functional standby system.

## **NOISE PERFORMANCE REQUIREMENTS**

33. The Company shall:
  - (1) implement prior to the commencement of operation of the Equipment, the Noise Control Measures detailed in phase 1 of Schedule B of this Approval;
  - (2) implement not later than 12 months after the issuance of an above grade building permit under the Building Code Act, 1992, for a building on the vacant lands immediately north, south, east and west of the Facility, the Noise Control Measures detailed in phase 2 of Schedule B of this Approval;
  - (3) ensure, subsequent to the implementation of the Noise Control Measures that the noise emissions from the Facility comply with the limits set out in Ministry Publication NPC-232; and
  - (4) ensure that the Noise Control Measures are properly maintained and continue to provide the acoustical performance outlined in the Acoustic Assessment Report.

## **BIOMASS MANAGEMENT**

### **GENERAL**

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

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

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

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

### ***Financial Assurance***

36. (1) At least thirty (30) days prior to the construction of the Facility the Company shall submit to the Director, financial assurance, as defined in Section 131 of the Act, for the amount of \$290,902.00. This financial assurance shall be in a form acceptable to the Director and shall provide sufficient funds for the transportation, Facility clean-up, and disposal, of all quantities of waste at the Facility at any one time. No Biomass shall be received at the Facility unless the acceptable Financial Assurance has been submitted to the Ministry and approved by the Director.
- (2) Commencing on March 31, 2018 and at intervals of three (3) years thereafter, the Company shall submit to the Director, a re-evaluation of the amount of financial assurance to implement the actions required under Condition 36(1). The re-evaluation shall include an assessment based on any new information relating to the environmental conditions of the Facility and shall include the costs of additional monitoring and/or implementation of contingency plans required by the Director upon review of the closure plan and annual reports. The financial assurance must be submitted to the Director within thirty (30) days of written acceptance of the re-evaluation by the Director.
- (3) Commencing on March 31, 2016, the Company shall prepare and maintain at the Facility an updated re-evaluation of the amount of financial assurance required to implement the actions required under Condition 36(1) for each of the intervening years in which a re-evaluation is not required to be submitted to the Director under Condition 36(2). The re-evaluation shall be made available to the Ministry upon request.
- (4) The amount of financial assurance is subject to review at any time by the Director and may be amended at his/her discretion. If any financial assurance is scheduled to expire or notice is received, indicating financial assurance will not be renewed, and satisfactory methods have not been made to replace the financial assurance at least sixty (60) days before the financial assurance terminates, the financial assurance shall forthwith be replaced by cash.

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

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

Step 1: Receipt of Complaint

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

Step 2: Investigation of Complaint

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

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

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

### *Service Area & Waste Types*

38. (1) The service area for the Facility is Province of Ontario.
- (2) The operation of this Facility is limited to receipt and processing of the following types of liquid and solid Biomass:
 

**Tier 1 Biomass:**  
Swine manure; mature poultry manure; cattle manure; grape pomace; corn silage; silage of all types of grasses; organic waste from grocery stores and bakeries, dairies and facilities that process dairy products; fruit and vegetable wastes; wastes from cereal and grain processing facilities, oil seed processing facilities, breweries and distillers grain; glycerin; and herbaceous plant material from greenhouse, nurseries, garden centres and flower shops.

**Tier 2 Biomass:**  
Paunch manure; FOG; and DAF.
- (3) The Company shall not accept at the Facility any waste that is classified as hazardous waste in accordance with Reg. 347, SSO and any waste that is classified as SRM.
- (4) Biomass rates, receipt rates, and waste storage at the Facility:
  - (a) The total amount of Biomass approved to be accepted at the Facility shall not exceed 12,800 tonnes per year, if the Facility generates 500 kilowatts of electricity (kW<sub>el</sub>) or 23,000 tonnes per year, if the Facility generates 1,000 kilowatts of electricity (kW<sub>el</sub>).

- (b) The maximum daily amount of Biomass approved to be accepted at the Facility shall not exceed 63 tonnes per day, averaged annually.
- (c) Biomass approved to be stored at the Facility is subject to the following limitations:
  - i. No more than 14,106 cubic metres of Tier 1 and Tier 2 Biomass shall be stored at the following tanks and the solid receiving bunkers, within the Facility, at any one time:
    - 1. Six (6) solid receiving bunkers each with the maximum effective working capacity of 3,600 cubic metres for a total of 21,600 cubic metres ( $6 \times 3,600 = 21,600$  cubic metres);
    - 2. Two (2) underground liquid receiving tanks each with the maximum capacity of 191 cubic metres for a total of 382 cubic metres ( $2 \times 191 = 382$  cubic metres);
    - 3. One (1) pasteurizer receiving tank with the maximum capacity of 85 cubic metres;
- (d) Biomass approved to be stored at the Facility is subject to the following limitations:

No more than:

- i. 125 cubic metres of swine manure;
- ii. 285 cubic metres of mature poultry manure;
- iii. 476 cubic metres of cattle manure;
- iv. 42 cubic metres of liquid dairy waste;
- v. 75 cubic metres of FOG and DAF;
- vi. 6,666 cubic metres of grape pomace;
- vii. 5,000 cubic metres of corn silage;
- viii. 1,428 cubic metres of grass silage.

- (5) No waste or Biomass shall be stored on any part of the Facility other than those identified in Condition 38(4)(c) at any time.
- (6) In the event that Biomass cannot be processed at the Facility and the Facility is at its approved Biomass storage capacity, the Company shall cease accepting additional Biomass. Receipt of additional Biomass may be resumed once such receipt complies with the Biomass storage limits approved in this Approval.
- (7) The Company shall ensure that all solid Biomass are stored within the confines of the six (6) outdoor storage bunkers that are covered completely as approved under this Approval, except during Biomass receiving (via trucks) and transfer to the gravity feeders (using a front end loader) and during equipment maintenance. Outdoor storage shall be undertaken in a manner that does not cause an Adverse Effect or a hazard to the environment or any person.
- (8) The Company shall ensure that all liquid Biomass are stored in the two (2) outdoor in-ground receiving tanks and one (1) pasteurizer receiving tank, with each tank exhausting at all times into one (1) Activated Carbon Adsorption Unit approved under this Approval. Outdoor storage shall be undertaken in a manner that does not cause an Adverse Effect or a hazard to the environment or any person.

**SIGNS**

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

### **FACILITY SECURITY**

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

### **FACILITY OPERATIONS**

41. (1) Operating hours:
- (a) The Facility is approved to receive waste from 7 am to 7 pm, Monday to Saturday, and operate 24/7/365.
- (2) No sorting, source separating or unpacking of the Biomass shall be conducted at the Facility.
- (3) Incoming Biomass receipt:
- (a) All loads of incoming Biomass shall be accompanied by documentation containing the results of the required Biomass characterization or the identification of a pre-approved generator of Biomass.
  - (b) Trained Personnel shall inspect the required documentation prior to acceptance of the incoming Biomass at the Facility.
  - (c) Biomass that has not been characterized in accordance with this Approval or that is not accompanied by the required documentation shall not be accepted at the Facility and shall immediately be directed out of the Facility.
  - (d) The Company shall only accept the incoming Biomass that is delivered in vehicles that have been approved as required by the Ministry.

- (e) The Company shall ensure that sufficient storage capacity is available in the gravity feeders and plug flow digesters prior to transfer of the Biomass from the solid receiving bunkers.
  - (f) The Company shall ensure that the Biomass levels in the underground liquid receiving tanks, pasteurizer receiving tank and pasteurizer tank are monitored and controlled on a continuous basis and that the high level alarms are installed and operational at all times.
- (4) Rejected Waste handling:
- (a) In the event that waste that is not approved under this Approval is inadvertently accepted at the Facility, the Company shall ensure that the Rejected Waste is returned in the same truck in which it arrived at the Facility.
  - (b) In the event that Rejected Waste is inadvertently accepted at the Facility, the Company shall ensure that the Rejected Waste is:
    - i. stored in a way that ensures that no Adverse Effects result from such storage;
    - ii. segregated from all other Biomass;
    - iii. handled and removed from the Facility in accordance with Reg. 347 and the Act;and
    - iv. removed from the Facility within forty-eight (48) hours of its receipt or as acceptable to the District Manager.
  - (c) In the event that a waste load is refused or unacceptable waste is inadvertently accepted at the Facility, a written record shall be made in the daily log book or in an electronic file of the reason why the waste was refused and the origin of the waste, if known. The Company shall notify the District Manager, in writing, of the receipt of unacceptable waste within three (3) business days of its receipt. The following information shall be included in the written record:
    - i. quantity and type of the Rejected Waste;
    - ii. source of the Rejected Waste, if known;
    - iii. reason for rejecting the waste;
    - iv. final destination of the Rejected Waste; and
    - v. date of receipt and time and date of removal from the Facility.
- (5) Operation of pasteurizer:
- (a) The Company shall ensure that the pasteurizer treating Tier 2 and/or mixture of Tier 1 and Tier 2 Biomass (if Tier 1 and Tier 2 Biomass received as a mixture) is operating in such a manner that it is sealed tight that there is no leakage of waste into the natural environment.
  - (b) The Company shall ensure that Tier 2 and/or mixture of Tier 1 and Tier 2 Biomass (if tier 1 and Tier 2 Biomass received as a mixture) is pasteurized in the pasteurization tank, and that the pasteurization process is undertaken at a minimum temperature of 70°C for a minimum of one (1) hour or at a minimum temperature of 50°C for a minimum of twenty (20) hours, to ensure complete inactivation of pathogens in the Biomass.
  - (c) The temperature in the pasteurization tank shall be monitored to verify compliance with Condition 41(5)(b).
- (6) Processing limitations, at any one time:
- (a) No more than 21 cubic metres of Biomass shall be processed in the pasteurization tank;

- (b) No more than 756 cubic metres of Biomass shall be processed in the gravity feeders, each gravity feeder with the maximum capacity of 378 cubic metres (2 x 378 = 756 cubic metres);
  - (c) No more than 1,800 cubic metres of Biomass being processed shall be contained within two (2) plug flow digesters, each plug flow digester with the maximum capacity of 900 cubic metres (2 x 900 = 1,800 cubic metres);
  - (c) No more than 4,332 cubic metres of Biomass being processed shall be contained within two (2) secondary digester tanks with a sealed concrete roof (no more than 2,166 cubic metres within each tank);
  - (d) No more than 4,332 cubic metres of Biomass being processed shall be contained within two (2) tertiary digester tanks with a sealed concrete roof (no more than 2,166 cubic metres within each tank);
  - (e) No more than 625 cubic metres of solid digestate shall be stored on a concrete pad; and
  - (e) No more than 8,058 cubic metres of liquid digestate Biomass shall be stored within two storage vessels with a sealed concrete roof (no more than 4029 cubic metres within each vessel).
- (7) Odour Control:
- (a) The Company shall accept, store and process mature poultry manure only, as described in the Application.
  - (b) The Company shall restrict all receiving and handling of the solid Biomass, such that only one (1) storage bunker face is open at a time for receiving and handling of materials. Facility operations shall minimize the exposed surface area of the storage bunker during material receiving/handling and shall reseal the bunker as soon as possible.
  - (c) The Company shall restrict the Facility operations to only one (1) gravity feeder being opened at a time.
  - (d) The Company shall, at all times, ensure that the passive exhausts from the two (2) liquid Biomass receiving tanks and one (1) pasteurizer receiving tank are discharged to the air through fully functional Activated Carbon Adsorption Units approved under this Approval.
  - (e)
    - i. If in the opinion of the District Manager, the air emissions from the Facility result in odour complaint(s), the Company shall, immediately upon receipt of the written notification from the District Manager, implement additional odour control measures in accordance with the Emergency Response and Contingency Plan required by this Approval.
    - ii. If in the opinion of the District Manager, the additional odour control measures as per Condition 41(7)(e)(i) are found to be unsuitable or ineffective, the District Manager may direct the Company, in writing, to take further measures to address the noted failure, upset or malfunction including pursuant to section 39 of the EPA requiring a reduction in the receipt of waste, cessation of the receipt of waste, removal and off site disposal of waste and suspending operational activities at the Facility in accordance with the Emergency Response and Contingency Plan required by this Approval, until such time as the cause(s) of the odour emissions have been identified and rectified.
- (8) Residual Waste Handling

- (a) The Company shall ensure that the Biomass storage areas are cleaned out annually, or more frequently if necessary, and that the Residual Waste from the bottom of the tanks is handled in accordance with Reg. 347 and the Act.
- (b) Residual Waste removed from the Facility for final disposal shall only be disposed of at a site for which an Environmental Compliance Approval has been issued by the Ministry and the site is approved to receive this type and quantity of waste.
- (c)
  - i. All Residual Waste shall be stored within the confines of an enclosed storage container.
  - ii. The Company shall remove the Residual Waste from the Facility as soon as the storage container is full or as directed by the District Manager.

## **FACILITY INSPECTION AND MAINTENANCE**

42. (1) Prior to receipt of any waste at the Facility, the Company shall prepare a comprehensive written inspection program which includes inspections of all aspects of the Facility's operations including, as a minimum, the following:
- (a) buildings and equipment;
  - (b) Biomass unloading areas;
  - (c) Biomass solid receiving bunkers, underground liquid storage tanks, pasteurizer receiving tank, pasteurization tank, gravity feeders, plug flow digesters, secondary digesters, tertiary digesters, liquid digestate storage vessels, biogas storage building, concrete pad where solid digestate stored, leakage monitoring ports for secondary and tertiary digesters, flare, and related pumps, piping, and equipment;
  - (d) any installed air pollution control equipment;
  - (e) security measures undertaken to secure the Biomass storage and processing areas;
  - (h) sedimentation pond (labelled in the Site Plan Figure 3 dated May 2012 and revised May 31, 2014 as "Sediment Basin");
  - (i) presence of leaks and drips;
  - (j) security fencing, gates, barriers and signs; and
  - (k) off-site impacts such as odour, dust, litter, etc.
- (2) The inspections are to be undertaken daily by Trained Personnel in accordance with the inspection program to ensure that all equipment, buildings, tanks, storage and processing areas at the Facility are maintained in good working order at all times and that no off-site impacts are occurring. Any deficiencies detected during these regular inspections must be promptly corrected.
- (3) The Company shall develop and implement a preventative maintenance program for all on-site equipment associated with the processing and managing of Biomass and control of noise, odour and dust emissions. The preventative maintenance program shall be maintained up-to-date and shall be available for inspection by the Ministry upon request.
- (4) The Company shall inspect the sedimentation pond at least twice per year and, if necessary, clean and maintain the sedimentation pond to prevent the excessive build-up of sediments and/or vegetation.
- (5) When the Biomass storage tanks/areas are cleaned out, the tanks/areas shall be internally inspected to ensure the integrity of its structure.



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

43. (1) Quality control monitoring of incoming Biomass at the Company's Facility:
- (a) No hazardous waste, as defined in Reg. 347, SSO and SRM shall be received at the Facility at any time.
  - (b) The incoming Biomass, other than the waste exempted in Reg. 347, shall not be accepted at the Facility if the analytical requirements listed in Condition 43 have not been fulfilled or if the analysis of the Biomass as described in Condition 43(2) determines that the metal content in the Biomass exceeds the metal content limits set out in Table 1 below.

**TABLE 1**

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

- (c) Despite Condition 43(1)(b), grape pomace is considered to be an Agricultural Waste, if prior to the receipt at the Facility, the Company provides justification and supporting information that the grape pomace is produced by a Farm Operation to the District Manager for review and approval. Grape pomace which is considered an Agricultural Waste may then be accepted at the Facility.
  
- (2) (a) The Company shall ensure that prior to acceptance of a Biomass at the Facility, representative samples of the Biomass are obtained from the proposed generator of the Biomass and analysed during the 14-day period preceding its first-time receipt at the Facility.
- (b) Subsequent sampling and analysis shall be conducted:
  - i. for every 1,000 cubic metres of the Biomass to be received at the Facility or once a year, whichever comes first, provided the Biomass is of the same type and is from the same source; and
  - ii. following any process changes, operational issues or other factors that may affect the quality of Biomass from the proposed generator.
  
- (3) (a) The Company shall ensure that:
  - i. each sample of the Biomass obtained under Condition 43(2) has been analysed for metals identified in Column 1 of Table 1 of this Approval, in accordance with the methods and frequencies specified in Condition 43; and
  - ii. sampling and analysis of Biomass for metals is conducted in accordance with the methods specified in the Sampling and Analysis Protocol for O. Reg. 267/03.
- (b) The Company shall ensure a copy of the analysis sets out the concentration of metal in each sample of the Biomass in:

- i. milligrams of metal per kilogram of total solids, dry weight, in case of the analysis of metals in materials that have a concentration of total solids of 10,000 milligrams or more per litre;
  - ii. milligrams of metal per litre, in the case of the analysis of regulated metals in materials that have a concentration of total solids of less than 10,000 milligrams per litre.
- (4) The analysis of samples of the incoming Biomass shall be performed by:
  - (a) a laboratory that is accredited by the Ontario Ministry of Agriculture, Food and Rural Affairs for that purpose; or
  - (b) a laboratory that is accredited in accordance with the International Standard ISO/IEC 17025 — General Requirement for the Competence of Testing and Calibration Laboratories, dated December 15, 1999, as amended.
- (5) In order to resume accepting a given Biomass following previous rejection, the Company shall ensure that the analytical requirements listed in Condition 43 have been fulfilled and that at least two (2) representative samples of the said Biomass generate analytical results which, separately and consecutively, do not exceed the metal content limits set out in Table 1 of this Approval.

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

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

**END USE OF PROCESSED MATERIAL**

- 45. (1) Prior to the initial shipment of the Processed Material from the Facility, the Company shall provide to the Director and District Manager written notification from the CFIA that the Processed Material has been assessed and approved for use as Fertilizer under the Fertilizers Act. In addition to the written notification, the Company shall provide to the Director and District Manager the following information:
  - (a) a copy of the complete application package submitted to the CFIA in support of the request to manufacture the Fertilizer;
  - (b) the specific requirements of the CFIA that must be met for the Processed Material to be considered as a Fertilizer including all process monitoring, analytical, and quality assurance/quality control requirements; and
  - (c) a copy of the approved product label.
- (2) All Processed Material shipped from the Facility as Fertilizer must be accompanied by a product label that has been approved by the CFIA.

- (3)
  - (a) If the Processed Material is not offered for sale or sold as Fertilizer in accordance with the Fertilizers Act, it shall be managed as Processed Organic Waste and/or NASM in accordance with the requirements of the Act, the OWRA, the NMA and any other relevant Ministry legislation and guidelines.
  - (b) Processed Material managed as Processed Organic Waste and/or NASM shall only be removed from the Facility by a hauler approved by the Ministry to transport processed organic waste and/or NASM.
  - (c) Processed Material managed as Processed Organic Waste shall be disposed of at a Ministry approved site or a site approved to accept such waste by an equivalent jurisdiction.
  - (d) If Processed Material that is managed as Processed Organic Waste is destined for application on non-agricultural land, for beneficial use, the Company shall ensure the land application meets the conditions of the Environmental Compliance Approval for the site where Processed Organic Waste is to be applied on non-agricultural land.
  - (e) If Processed Material that is managed as NASM is destined for application on agricultural land, the Company shall ensure the land application of NASM meets the regulatory requirements of the NMA and O. Reg. 267/03.
  - (f) If the Processed Material is not offered for sale, sold as Fertilizer in accordance with the Fertilizers Act, or managed as Processed Organic Waste and/or NASM, it may be delivered to a waste disposal site approved to receive this type of waste, where it will be used for processing (composting), all in accordance with the Environmental Compliance Approval of the site.

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

46.
  - (1) The Company shall ensure that the exterior of all vehicles leaving the Facility are clear of debris and that vehicles are not leaking, dripping, or dragging waste, dirt or other contaminants out onto streets.
  - (2) The Company shall ensure that there is no queuing or parking of vehicles that are waiting to enter the Facility on any roadway that is not a distinct part of the Facility.
  - (3) The Company shall:
    - (a) implement necessary housekeeping procedures to eliminate sources of attraction for vermin and vectors; and
    - (b) if necessary, hire a qualified, licensed pest control professional to design and implement a pest control plan for the Facility. The pest control plan shall remain in place, and be updated from time to time as necessary, until the Facility has been closed and this Approval has been revoked.
  - (4) The Company shall ensure that all on-site roads and operations/yard areas are regularly swept/washed to prevent dust impacts off-site.
  - (5) The Company shall regularly clean, if necessary, all equipment and storage areas that are used to handle and process the Biomass at the Facility.

#### **OPERATIONS MANUAL**

47. (1) Prior to receipt of any waste at the Facility, the Company shall prepare a written operations manual for use by Facility personnel. The operations manual shall contain, as a minimum, the following:
- (a) outline the responsibilities of the Facility personnel;
  - (b) personnel training protocols;
  - (c) Biomass receiving and screening procedures;
  - (d) Biomass unloading, handling and storage procedures;
  - (e) Biomass processing and monitoring procedures;
  - (f) sampling and testing procedures;
  - (g) Facility inspections, fire, spill, upset, and leakage recording procedures;
  - (h) emergency response procedures;
  - (i) procedures for handling complaints as described in this Approval;
  - (j) routine operating and maintenance procedures in accordance with good engineering practices and as recommended by the Equipment suppliers;
  - (k) the frequency of the replacement of the activated carbon in the Activated Carbon Adsorption Units;
  - (l) procedures for monitoring the performance of the Activated Carbon Adsorption Units; and
  - (m) all appropriate measures to minimize odour, dust and noise emissions from all potential sources at the Facility.
- (2) The Company shall:
- (a) keep a copy of the operations manual at the Facility and accessible to Facility personnel at all times;
  - (b) update the operations manual as required; and
  - (c) make the operations manual available for review by the Ministry upon request.
- (3) The Company shall ensure that the Facility is operated in accordance with the Approval and the operations manual.
- (4) The Company shall maintain at the Facility an inventory of critical spare parts for the equipment that can be installed in the event of equipment malfunction and shall list the critical spare parts in the operations manual.

### **STAFF TRAINING**

48. (1) All operators of the Facility shall be trained with respect to the following:
- (a) terms, conditions and operating requirements of this Approval;
  - (b) operation and management of the Facility, or area(s) within the Facility, as per the specific job requirements of each individual operator, and which may include procedures for receiving, screening and identifying waste, refusal, handling, processing and temporarily storing wastes;
  - (c) an outline of the responsibilities of Facility personnel including roles and responsibilities during emergency situations;
  - (d) the Emergency Response and Contingency Plan including exit locations and evacuation routing, and location of relevant equipment available for emergency situations;
  - (e) environmental and occupational health and safety concerns pertaining to the process and wastes to be handled at the Facility;
  - (f) emergency first-aid information;

- (g) relevant air, noise, wastewater and waste management legislation, regulations, and guidelines, including the Act and Reg. 347;
  - (h) record keeping and retention procedures, as required by this Approval;
  - (i) Facility inspection and maintenance procedures, as required by this Approval;
  - (j) nuisance impact control and housekeeping procedures, as required by this Approval;
  - (k) procedures for recording and responding to public complaints;
  - (l) specific written procedures for the control of Adverse Effects from the Facility; and
  - (m) specific written procedures for refusal of unacceptable incoming waste loads.
- (2) The Company shall ensure that all Facility personnel are trained in the requirements of this Approval relevant to the employee's position:
- (a) upon commencing employment at the Facility in a particular position; and
  - (b) whenever the Emergency Response and Contingency Plan is revised or updated.

### **EMERGENCY RESPONSE AND CONTINGENCY PLAN**

49. (1) Within six (6) months of the date of this Approval, the Company shall submit to the District Manager an Emergency Response and Contingency Plan. The Emergency Response and Contingency Plan shall be prepared in consultation with the District Manager, the local municipality, and the local fire department, and as a minimum, shall include the following information and items described in the Emergency Response Plan identified in Tab 9 of the document entitled "Grimsby Energy Inc. Anaerobic Digester, Response to MOE, August 10, 2013" and submitted in support of the Application:
- (a) emergency response procedures to be undertaken in the event of a spill, process upset, power failure, fire, or any other emergency situation, including specific clean up methods for wastes expected to be generated from the emergency situation;
  - (b) odour abatement plan to propose the design and operation of the contingency measures necessary to alleviate impacts from odours emitted from the Facility;
  - (c) dust abatement plan to propose the design and operation of the contingency measure to alleviate impacts from dust originating from the waste management and vehicular activities at the Facility;
  - (d) trigger mechanism for implementation of the abatement plans required by (b) and (c), above;
  - (e) a list of equipment and clean up materials available for dealing with the emergency situations;
  - (f) notification protocol with names and telephone numbers of persons to be contacted, including persons responsible for the Facility, the Ministry's District Office and Spills Action Centre, the local fire department, the local municipality, the local Medical Officer of Health, and the Ontario Ministry of Labour, and the names and telephone numbers of waste management companies available for emergency response;
  - (g) procedures and actions to be taken should the incoming Biomass not meet the quality criteria specified by this Approval;
  - (h) procedures and actions to be taken should the Processed Material fail to meet the Fertilizer quality criteria specified by the CFIA; and

- (i) procedures and actions to be taken should the occurrence of the Substantiated Complaints require the Company to suspend the processing activities at the Facility.
- (2) The Emergency Response and Contingency Plan shall be reviewed on an annual basis and updated, if necessary. The revised version of the Emergency Response and Contingency Plan shall be submitted to the District Manager, the local municipality and the local fire department. A copy of the Emergency Response and Contingency Plan shall be kept at the Facility at all times, in a central location available to all staff.

## **EMERGENCY SITUATIONS RESPONSE AND REPORTING**

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

## **RECORD KEEPING AND RETENTION**

### ***Daily Activities***

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

- (d) amount of Fertilizer shipped from the Facility;
- (e) amount of Processed Organic Waste and/or NASM shipped from the Facility;
- (f) quantity and type of waste processed at the Facility;
- (g) quantity and type of waste stored at the Facility, including the Biomass levels in the storage tanks;
- (h) receiving site(s) and their Environmental Compliance Approval numbers, for the waste shipped from the Facility;
- (i) quantity and type of any Rejected Waste and Residual Waste;
- (j) process monitoring results;
- (k) housecleaning activities;
- (l) all records on the maintenance, repair and inspection of the Equipment; and
- (m) all records on the monitoring activities of the Activated Carbon Adsorption Units as required by this Approval.

### ***Emergency Situations***

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

### ***Inspections***

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

### ***Training***

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



- (c) description of the training provided.

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

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

### ***Monitoring Records***

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

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

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

### ***Records Retention***

- (9) The Company shall retain, for a minimum of five (5) years from the date of their creation, all records described in Condition 51, and make these records available for review by the Ministry upon request.

## ***Annual Report***

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

## **SEWAGE WORKS**

### ***Spill Containment Facility***

52. The Company shall design and construct a transformer substation oil spill containment facility which meets the following requirements:
- (1) the spill containment facility serving the transformer substation shall have a minimum volume equal to the volume of transformer oil and lubricants plus the volume equivalent to providing a minimum 24-hour duration, 50-year return storm capacity for the stormwater drainage area around the transformer under normal operating conditions. This containment area shall have:

- (a) an impervious floor with walls usually of reinforced concrete or impervious plastic liners, sloped toward an outlet / oil control device, allowing for a freeboard of 0.25 metres terminating approximately 0.30 metres above grade to prevent external stormwater flows from entering the facility. The facility shall have a minimum of 300mm layer of crushed stoned (19mm to 38mm in diameter) within, all as needed in accordance to site specific conditions and final design parameters; or
  - (b) a permeable floor with impervious plastic walls and around the transformer pad; equipped with subsurface drainage with a minimum 50mm diameter drain installed on a sand layer sloped toward an outlet for sample collection purposes; designed with an oil absorbent material on floor and walls, and allowing for a freeboard of 0.25 metres terminating approximately 0.30 metres above grade to prevent external stormwater flows from entering the facility. The facility's berm shall be designed as needed in accordance to site specific conditions and the facility shall have a minimum 300mm layer of crushed stoned (19mm to 38mm in diameter) on top of the system, as needed in accordance to site specific conditions and final design parameters;
- (2) the spill containment facility shall be equipped with an oil detection system; it also shall have a minimum of two (2) PVC pipes (or equivalent material) 50mm diameter to allow for visual inspection of water accumulation. One pipe has to be installed half way from the transformer pad to the vehicle access route;
  - (3) the spill containment facility shall have appropriate sewage appurtenances as necessary, such as but not limited to: sump, oil/grit separator, pumpout manhole, level controllers, floating oil sensors, etc., that allows for batch discharges or direct discharges and for proper implementation of the monitoring program described under Condition 54; and
  - (4) the Company shall have a qualified person on-site during construction to ensure that the system is installed in accordance with the approved design and specifications.

53. The Company shall:

- (1) within six (6) months after the completion of the construction of the transformer substation spill containment facility, provide to the District Manager an engineering report and as-built design drawings of the sewage works for the spill containment facility and any stormwater management works required for it, signed and stamped by an independent Professional Engineer licensed in Ontario and competent in electrical and environmental engineering. The engineering report shall include the following;
  - (a) as-built drawings of the sewage works for the spill containment facility and any stormwater management works required for it;
  - (b) a written report signed by a qualified person confirming the following:
    - i. on-site supervision during construction;
    - ii. in case of a permeable floor systems: type of oil absorbent material used (for mineral-based transformer oil or vegetable-based transformer oil, make and material's specifications);
    - iii. use of stormwater best management practices applied to prevent external surface water runoff from entering the spill containment facility; and
    - iv. confirm adequacy of the installation in accordance with specifications.

- (c) confirmation of the adequacy of the operating procedures and the emergency procedures manuals as it pertains to the installed sewage works;
  - (d) procedures to provide emergency response to the site in the form of pumping and clean-up equipment within 24 hours after an emergency has been identified. Such response shall be provided even under adverse weather conditions to prevent further danger of material loss to the environment;
- (2) as a minimum, the Company shall check the oil detection systems on a monthly basis and create a written record of the inspections;
  - (3) ensure that the effluent is essentially free of floating and settle-able solids and does not contain oil or any other substance in amounts sufficient to create a visible film, sheen or foam on the receiving waters;
  - (4) immediately identify and clean-up all losses of oil from the transformer;
  - (5) upon identification of oil in the spill containment facility, take immediate action to prevent the further occurrence of such loss;
  - (6) ensure that equipment and material for the containment, clean-up and disposal of oil and materials contaminated with oil are kept within easy access and in good repair for immediate use in the event of:
    - (a) loss of oil from the transformer,
    - (b) a spill within the meaning of Part X of the Act, or
    - (c) the identification of an abnormal amount of oil in the effluent.
  - (7) in the event of finding water accumulation in the PVC pipes (visual inspection) after 48 hours of any storm event, the Company shall: (a) for impervious floors, inspect the sewage appurtenances that allow drainage of the concrete pit; or (b) for permeable systems, replace the oil absorbent material to ensure integrity of the system performance and design objectives;
  - (8) for permeable floor systems, the Company shall only use the type of oil specified in the design, i.e. mineral-based transformer oil or vegetable-based transformer oil. If a change is planned to modify the type of oil, the Company shall also change the type of the oil absorbent material and obtain approval from the Director to amend this Approval before any modification is implemented.

54. The Company shall design, construct and operate the sewage works such that the concentration of the effluent parameter named in the table below does not exceed the maximum Concentration Objective shown for that parameter in the effluent, and shall comply with the following requirements:

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

- (1) notify the District Manager as soon as reasonably possible of any exceedance of the maximum concentration objective set out in the table above;
- (2) take immediate action to identify the cause of the exceedance; and

- (3) take immediate action to prevent further exceedances.
55. Upon commencement of the operation of the Facility, the Company shall establish and carry out the following monitoring program for the sewage works:
- (1) the Company shall collect and analyze the required set of samples at the sampling points listed in the table below in accordance with the measurement frequency and sample type specified for the effluent parameter, oil and grease, and create a written record of the monitoring:

<b>Effluent Parameters</b>	<b>Measurement Frequency and Sample Points</b>	<b>Sample Type</b>
Oil and Grease	Quarterly, i.e. four times over a year, relatively evenly spaced having a minimum two (2) of these samples taken within 48 hours after a 10mm rainfall event.	Grab

- (2) in the event of an exceedance of the maximum concentration objective set out in the table in Condition 54, the Company shall:
- (a) increase the frequency of sampling to once per month, for each month that effluent discharge occurs; and
- (b) provide the District Manager, on a monthly basis, with copies of the written record created for the monitoring until the District Manager provides written direction that monthly sampling and reporting is no longer required; and
- (3) if over a period of twenty-four (24) months of effluent monitoring under Condition 55(1), there are no exceedances of the maximum concentration set out in the table for Concentration Objective, the Company may reduce the measurement frequency of effluent monitoring to a frequency as the District Manager may specify in writing, provided that the new specified frequency is never less than annual.
56. The Company shall comply with the following methods and protocols for any sampling, analysis and recording undertaken in accordance with Condition 55:
- (1) the Ministry publication "Protocol for the Sampling and Analysis of Industrial/ Municipal Wastewater", January 1999, as amended from time to time by more recently published editions; and
- (2) the publication "Standard Methods for the Examination of Water and Wastewater", 21st edition, 2005, as amended from time to time by more recently published editions.

***Stormwater Management***

57. (1) The Company shall implement the sediment and erosion control plan during construction, installation, use, operation, maintenance and retiring of the Facility, as outlined in Sections 2.2 and 5.0 of the report included in the Application and entitled "Surface Water Assessment Report, dated December 2012 and prepared by Riepma Consultants Inc."

- (2) Within one (1) year of the completion of the sedimentation pond the Company shall prepare a set of as-built drawings showing the sedimentation pond “as constructed” with a total capacity of 675 cubic metres and length to width ratio of 4:1 and side slope of 3:1 as identified in the Site Plan Figure 3, dated May 2012 and revised May 31, 2014 and labelled “Sediment Basin”. The Company shall keep these drawings up-to-date through periodic revisions and retain them at the Facility.

**GROUNDWATER AND METHANE GAS MONITORING:**

58. The Company shall implement the groundwater level monitoring program as outlined in the Hydrogeologic Report prepared by Landtek Limited Consulting Engineers dated July 7, 2014.
59. Prior to construction, preparation of a plan for monitoring and mitigation of methane gas during construction shall be submitted to the District Manager for review and acceptance including the establishment of a trigger value for methane gas. The District Manager shall be notified immediately should there be any detection above the trigger value and informed of any mitigation measures applied. A summary of the findings of the methane gas monitoring and mitigation plan shall be submitted to the District Manager within 60 days upon completion of construction. The report shall be prepared by a qualified professional and include a reassessment of the potential for methane migration to any enclosed infrastructure at the Facility and make recommendations for indoor air monitoring of the Facility buildings if required.

**SCHEDULE “A”**  
**Facility Description**

The Facility shall consist of the construction, installation, operation, use, maintenance and retiring of:  
- a Class 3 anaerobic digestion facility, to process 23,000 tonnes of solid and liquid Biomass per year to generate 1,000 kilowatts of electricity (kW<sub>e</sub>) and consisting of the following processes and supporting units:

- (a)
  - i. six (6) outdoor solid receiving bunkers for the storage of solid Biomass;
  - ii. one (1) pasteurizer receiving tank;
  - iii. one (1) pasteurizer tank;
  - iv. two (2) in-ground liquid Biomass receiving tanks;
  - v. two (2) gravity feeders;
  - vi. two (2) plug flow digesters;
  - vii. two (2) secondary digester tanks;
  - viii. two (2) tertiary digester tanks;
  - ix. two (2) liquid digestate storage vessels; and
  - x. a concrete pad for storage of solid digestate
- (b) one (1) front end loader that serve the handling of solid Biomass;
- (c) one (1) biogas treatment system including: one (1) gas cooler to remove moisture and one (1) carbon adsorber for desulphurization of the biogas before directing it to the generator sets described below;
- (d) two (2) identical biogas fired reciprocating engine generators, each having a generating output capacity of 500 kilowatts of electricity (kW<sub>e</sub>) and a maximum biogas firing rate of 0.067 standard cubic metre per second, discharging to the air through independent stacks, each having an approximate volumetric flow rate of 0.60 actual cubic metres per second, having an exit diameter of 0.15 metre, extending 16.5 metres above grade;
- (e) one (1) biogas flare, operating during the commissioning period or as a standby biogas combustion control device to the two (2) biogas reciprocating engine generators, having a maximum biogas firing rate of 0.135 standard cubic metre per second, discharging to the air through a stack with an exit diameter of 1.0 metre, extending 10.0 metres above grade;
- (f) three (3) activated carbon adsorption units complete with pre-filter sections, used to control emissions from the two (2) liquid Biomass receiving tanks and one (1) pasteurizer receiving tank, each containing approximately 40 kilograms of activated carbon, discharging to the air passively through independent stacks; and
- (g) one (1) natural gas fired boiler, to be used during start up operations, having a maximum heat input in the range of 2,600,000 kilojoules per hour to 5,300,000 kilojoules per hour;

all in accordance with the Application.

**SCHEDULE B**

## Noise Control Measures

### Phase 1 - Completion prior to commencement of operation of the Equipment

#### Engine Exhaust Stack #1 (Source ID S1)

One (1) silencer for Engine Exhaust Stack #1, capable of providing the following values of Insertion Loss in 1/1 octave frequency band centre frequencies:

<b>1/1 Octave Band Centre Frequency (Hertz)</b>	<b>63</b>	<b>125</b>	<b>250</b>	<b>500</b>	<b>1000</b>	<b>2000</b>	<b>4000</b>	<b>8000</b>
<b>Insertion Loss (Decibel)</b>	47	45	55	57	58	52	45	25

#### Engine Exhaust Stack #2 (Source ID S2)

One (1) silencer for Engine Exhaust Stack #2, capable of providing the following values of Insertion Loss in 1/1 octave frequency band centre frequencies:

<b>1/1 Octave Band Centre Frequency (Hertz)</b>	<b>63</b>	<b>125</b>	<b>250</b>	<b>500</b>	<b>1000</b>	<b>2000</b>	<b>4000</b>	<b>8000</b>
<b>Insertion Loss (Decibel)</b>	47	45	55	57	58	52	45	25

### Phase 2 - Completion not later than 12 months after the issuance of an above grade building permit under the Building Code Act, 1992, for a building on the vacant lands immediately north, south, east and west of the Facility

#### B1 Barrier Wall

One (1) 170 metres long, 5 metres high acoustic barrier, extending east to west on the north property line, positioned as per Figure 1 of the Acoustic Assessment Report, continuous without holes, gaps and other penetrations, and having a surface mass density of at least 20 kilograms per square metre.

#### B2 Barrier Walls

One (1) 85 metres long, 4 metres high acoustic barrier, extending north to south on the west property line, positioned as per Figure 1 of the Acoustic Assessment Report, continuous without holes, gaps and other penetrations, and having a surface mass density of at least 20 kilograms per square metre.



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

## **GENERAL**

- (1) Conditions 1, 6 and 7 are included to ensure that the Facility is constructed, installed, used, operated, maintained and retired in the manner in which it was described for review and upon which Approval was granted. These conditions are also included to emphasize the precedence of conditions in the Approval and the practice that the Approval is based on the most current document, if several conflicting documents are submitted for review.
- (2) Conditions 2 and 3 are included to require the Company to provide information to the public and the local municipality.
- (3) Conditions 4, 5, 8, 9, 10, 11, 12, 17, 18, and 19 are included to clarify the legal rights and responsibilities of the Company.
- (5) Condition 13 is included to ensure that the Facility is operated under the corporate name which appears on the Application submitted for this Approval and to ensure that the Director is informed of any changes.
- (6) Conditions 14 and 15 is included to restrict potential transfer or encumbrance of the Facility without the approval of the Director and to ensure that any transfer of encumbrance can be made only on the basis that it will not endanger compliance with this Approval.
- (7) Condition 16 is included to ensure that the Ministry has ready access to the operations of the Facility. The condition is supplementary to the powers of entry afforded a Provincial Officer pursuant to the EPA, the OWRA, the PA, the NMA and the SDWA.
- (8) Conditions 20, 21, and 22 are included to ensure that the Facility is decommissioned in accordance with the Decommissioning Plan Report approved by the Ministry and that final closure of the Facility is completed in accordance with Ministry's standards.
- (9) Conditions 23 and 24 are intended to limit the time period of the Approval.

## **WATER TAKING AND ARCHAEOLOGICAL RESOURCES**

- (10) Conditions 25 and 26 are included to ensure that the Facility is constructed, installed, used, operated, maintained and retired in a way that does not result in an Adverse Effect or hazard to the natural environment or any persons.

## **AIR AND NOISE**

- (11) Conditions 27, 28, 29, 30, 31 and 32 are included to emphasize that the Equipment/Facility must be maintained and operated according to a procedure that will result in compliance with the EPA, the Regulations and this Approval.
- (12) Condition 33 is included to provide the minimum performance requirement considered necessary to prevent an Adverse Effect resulting from the operation of the Facility.

## **BIOMASS MANAGEMENT**

## **GENERAL**

- (13) Conditions 34 and 35 are included to ensure that the Facility is operated in accordance with the Application and not in a manner which the Director has not been asked to consider.
- (14) Condition 36 is included to ensure that sufficient funds are available to the Ministry to clean up the Facility in the event that the Company is unable or unwilling to do so.

## **COMPLAINTS RESPONSE PROCEDURE**

- (15) Condition 37 is included to require the Company to respond to any environmental complaints regarding the operation of the Facility, according to a procedure that includes methods for preventing recurrence of similar incidents and a requirement to prepare and retain a written report.

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

- (16) Condition 38 is included to specify the approved Biomass receipt rate and the approved Biomass types and the service area from which Biomass may be accepted at the Facility based on the Company's Application. Condition 34(4) is also included to specify the maximum amount of waste that is approved to be stored at the Facility that is covered by the required financial assurance.

## **SIGNS**

- (17) Condition 39 is included to ensure that the Facility's users, operators and the public are fully aware of important information and restrictions related to the operation of the Facility.

## **FACILITY SECURITY**

- (18) Condition 40 is included to ensure that the Facility is sufficiently secured, supervised and operated by properly trained personnel and to ensure controlled access and integrity of the Facility by preventing unauthorized access when the Facility is closed and no Facility personnel are on duty.

## **FACILITY OPERATIONS**

- (19) Condition 41(1) is included to specify the hours of operation for the Facility to ensure that the hours of the Facility's operations do not result in an Adverse Effect or hazard to the natural environment or any persons.
- (20) Conditions 41(2), 41(5) and 41(6) are included to ensure that waste handling and storage are undertaken in a way which does not result in an Adverse Effect or hazard to the natural environment or any persons.
- (21) Condition 41(3) is included to ensure that only the approved waste types are accepted and processed at the Facility.

- (22) Condition 41(4) is included to specify the requirements for handling of the Rejected Waste that was inadvertently received at the Facility.
- (23) Condition 41(7) is included to specify odour control measures to minimize the potential for odour emissions from the Facility.

#### **FACILITY INSPECTION AND MAINTENANCE**

- (24) Condition 42 is included to require the Facility to be maintained and inspected thoroughly and on a regular basis to ensure that the operations at the Facility are undertaken in a manner which does not result in an Adverse Effect or hazard to the natural environment or any persons.

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

- (25) Conditions 43 and 44 are included to require all Biomass received at the Facility and shipped from the Facility to be characterized so that only Biomass approved by this Approval is handled at the Facility and that all waste transferred off-site is handled in accordance with the Ministry's requirements.

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

- (26) Condition 45 is included to ensure that all processed Biomass is properly managed, processed and disposed of in accordance with the Ministry's regulatory requirements and in a manner that protects the health and safety of the public and the environment.

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

- (27) Condition 46 is included to ensure that the Facility is operated and maintained in an environmentally acceptable manner which does not result in an Adverse Effect or hazard to the natural environment or any persons.

#### **OPERATIONS MANUAL AND TRAINING**

- (28) Conditions 47 and 48 are included to ensure that personnel employed at the Facility are fully aware and properly trained on the requirements and restrictions related to the Facility operations under this Approval.

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

- (29) Condition 49 is included to ensure that the Company is prepared and properly equipped to take action in the event of an emergency situation.
- (30) Conditions 50(1), 51(3), 51(4) and 51(5) are included to require further spill notification to the Ministry, in addition to the requirements already listed in Part X of the Act.
- (31) Condition 50(2) is included to ensure that the Facility is constructed, installed, used, operated, maintained and retired in a way that does not result in an Adverse Effect or hazard to the natural environment or any persons.

## **RECORD KEEPING AND RETENTION**

- (32) Condition 51 is included to ensure that detailed records of Facility activities, inspections, monitoring and upsets are recorded and maintained for inspection and information purposes.

## **SEWAGE WORKS**

### **TRANSFORMER/SUBSTATION SPILL CONTAINMENT FACILITY**

- (33) Conditions 52, 53, 54, 55, and 56 are included to ensure that the Facility is constructed, installed, used, operated, maintained and retired in a way that does not result in an Adverse Effect or hazard to the natural environment or any persons.

## **STORMWATER MANAGEMENT**

- (34) Condition 57(1) is included to ensure that the Facility is constructed, installed, used, operated, maintained and retired in a way that does not result in an Adverse Effect or hazard to the natural environment or any persons.
- (35) Condition 57(2) is included to ensure that the sedimentation pond is constructed in accordance with the Approval and that records of drawings of the sedimentation pond “as constructed” are maintained for future reference.

## **GROUNDWATER AND METHANE GAS MONITORING**

- (36) Conditions 58 and 59 are included to ensure that the Facility is constructed, installed, used, operated, maintained and retired in a way that does not result in an Adverse Effect or hazard to the natural environment or any persons.

## **NOTICE REGARDING HEARINGS**

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

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

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

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

*The signed and dated notice requiring the hearing should also include:*

3. The name of the appellant;

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

*This notice must be served upon:*

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

AND

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

AND

The Director  
 Section 47.5, *Environmental Protection Act*  
 Ministry of the Environment  
 2 St. Clair Avenue West, Floor 12A  
 Toronto, Ontario  
 M4V 1L5

**\* Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 314-4600, Fax: (416) 314-4506 or [www.ert.gov.on.ca](http://www.ert.gov.on.ca)**

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

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

DATED AT TORONTO this 1st day of October, 2014




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Vic Schroter, P.Eng.  
 Director  
 Section 47.5, *Environmental Protection Act*

MK/  
 c: District Manager, MOE Niagara