



Ministry
of the
Environment

Ministère
de
L'Environnement

AMENDMENT TO PROVISIONAL CERTIFICATE OF APPROVAL
WASTE MANAGEMENT SYSTEM
NUMBER A800588
Notice No. 1

Ontario

Environmental Services Inc.

22153 County Road # 5, R.R. #3
Chatham-Kent, Ontario
NOP 2LO

You are hereby notified that I have amended Provisional Certificate of Approval No. A800588 issued on August 30, 2004 for a waste management system serving the Province of Ontario, as follows:

Condition 7 is hereby revoked and replaced with the following Condition 7:

7. Waste shall only be delivered to a waste disposal site or facility which has a Certificate of Approval or a Provisional Certificate of Approval, and only where the waste being delivered complies with the Certificate of Approval or Provisional Certificate of Approval of the receiving waste disposal site or facility.

The reason for Condition 7 remains the same.

All in accordance with the letter received by facsimile on September 14, 2004 from George Perry, of the Company, requesting the amendment.

This Notice shall constitute part of the approval issued under Provisional Certificate of Approval No. A800588 dated August 30, 2004.

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

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

The Notice should also include:

3. The name of the appellant;
4. The address of the appellant;
5. The Certificate of Approval number;
6. The date of the Certificate of Approval;
The name of the Director;

The municipality within which the waste management system is located;

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

This Notice must be served upon:

The Secretary*
Environmental Review Tribunal
2300 Yonge St., 12th Floor
P.O. Box 2382
Toronto, Ontario
M4P1E4

AND

The Director
Section 39, *Environmental Protection Act*
Ministry of Environment and Energy
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**

The above noted waste management system is approved under Section 39 of the Environmental Protection Act, and is subject to the Regulations made thereunder.

DATED AT TORONTO this

A handwritten signature in black ink that reads "A. Ahmed". The signature is written in a cursive style and is underlined with a single horizontal line.

Aziz Ahmed, P.Eng.
Director
Section 39, *Environmental Protection Act*

NB/

District Manager, MOE Sarnia
Windsor Area Office



Ontario

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AMENDED PROVISIONAL CERTIFICATE OF APPROVAL
WASTE MANAGEMENT SYSTEM
NUMBER A800588

Environmental Services Inc.
22153 County Road # 5, R.R. #3
Chatham-Kent, Ontario NOP 2L0

You have applied in accordance with Section 27 of the Environmental Protection Act for approval of: a
waste management system serving: the Province of Ontario

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

For the purpose of this Provisional Certificate of Approval:

- a. "Certificate" means the entire Certificate of Approval including its schedules, if any, issued in accordance with Section 27 of the Environmental Protection Act;
- b. "Company" means only Environmental Services Inc.;
- c. "Director" means any Ministry employee appointed by the Minister pursuant to Section 5 of the Environmental Protection Act;
- d. "District Manager" means the District Manager of the Ministry of the Environment for the geographic area in which the waste described in conditions 2 and 3 is located;
- e. "Spill clean-up material" means the results of a clean up of a leak or spill which includes materials leaked or spilled and materials which have been absorbed on, or have contaminated soil, fabric, paper, or other similar absorbent material and including contaminated protective equipment used in the clean-up; and
- f. "Subject waste" means subject waste as defined in Section 1 of the Ontario Regulation 347 and includes liquid industrial and hazardous waste pursuant to this Provisional Certificate of Approval.

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

TERMS AND CONDITIONS

1. Except as otherwise provided by these conditions, the waste management system shall be operated in accordance with the application submitted for this Provisional Certificate of Approval dated May 28, 2004 and with the supporting information submitted to the Ministry of the Environment as part of the application listed below:
 - (A) Facsimiles dated June 3, 2004, June 8, 2004, and August 6, 2004 from George Perry of the Company.
2. The operation of this waste management system is limited to the collection, handling and transportation of non-hazardous liquid industrial, hazardous liquid class numbers: 111-114 inclusive, 121-123 inclusive, 131-135 inclusive, 141-150 inclusive, 211-213 inclusive, 221, 222, 231-233 inclusive, 241, 242, 251-254 inclusive, 261-270 inclusive, 281, 282, 311 and 331, and hazardous solid waste class numbers: 111-114 inclusive, 121-123 inclusive, 131-135 inclusive, 141-150 inclusive, 211-213 inclusive, 221, 222, 231 -233 inclusive, 241, 242, 251 -254 inclusive, 261 -270 inclusive, 281, 282 and 311 as described in the "Ministry of the Environment Waste Classes", as amended, January, 1986.
3. In addition to the collection and transportation of the waste outlined in the previous condition, this waste management system is also approved under this Provisional Certificate of Approval to collect and transport domestic waste, commercial waste including dewatered catch basin clean-out material, grease trap waste and waste wash water and non-hazardous solid industrial waste including asbestos waste in bulk, contaminated soil and other waste limited to spill clean-up material, and processed organic waste shall be transported pursuant to this Provisional Certificate of Approval.
4. No processed organic waste or other waste, shall be stored at or applied to an organic soil conditioning site under the authority of this Certificate.
5. "Other" waste limited to spill clean-up material shall only be transported:
 - (A) to a waste disposal site conforming to the requirements specified in condition 7 of this Provisional Certificate of Approval, or,
 - (B) in accordance with a direction made pursuant to Section 94 of the Environmental Protection Act or an order made pursuant to Section 97 of the Act, which includes references to the reuse or disposal of the pollutant for the purpose of Section 96(1)(a) of the Act, or,
 - (C) in accordance with the Director's approval or direction pursuant to Section 96(2) of the Environmental Protection Act.

6. The Company shall promptly take whatever steps are necessary to contain and clean up any spills of waste which have resulted from the operation of this waste management system.
7. Waste shall only be delivered to a waste disposal site or facility which has a Certificate of Approval or a Provisional Certificate of Approval, and only where the waste being delivered complies with the Certificate of Approval or Provisional Certificate of Approval of the receiving waste disposal site or facility, and at no time shall waste be stored or transferred to your truck storage yard located at 22153 County Road # 5, Chatham-Kent, Ontario.
8. All waste shall only be transported in a covered vehicle.
9. Any addition, deletion or other change to the fleet of vehicles, trailers and equipment (i.e., year, make, model, serial number, licence number and ownership of each vehicle, trailer or piece of equipment) in particular those which are leased or rented, shall be reported to the Director within fourteen (14) days of any such change.
10. Every vehicle used for the collection and transportation of waste pursuant to this Provisional Certificate of Approval shall be clearly marked with the company name and the number which appears on the face of the Certificate of Approval or Provisional Certificate of Approval that authorizes the collection and transportation of waste.
11. Every vehicle utilized to collect and transport subject waste pursuant to this Provisional Certificate of Approval shall be insured under a vehicle liability policy for a minimum of one million dollars (\$1,000,000.00) until such time as this Provisional Certificate of Approval is revoked.
12. The following documents shall be with each vehicle operated pursuant to this Provisional Certificate of Approval at all times that the vehicle is being operated or contains any wastes:
 - (a) A copy of this Provisional Certificate of Approval;
 - (b) A certificate verifying the driver's successful completion of a training and safety program, if required by Regulation 347; and
 - (c) A certificate of vehicle liability insurance specifying that it provides coverage of a minimum of one million dollars (\$1,000,000.00).
13. All asbestos waste in bulk shall be collected, handled and transported in accordance with the Ministry of the Environment's "Guidelines for the Handling, Transportation and Disposal of Asbestos Waste in Bulk", dated April, 1994 as may be amended.

14. (1) The Company shall notify the Director in writing of any of the following changes within thirty (30) days of the changes occurring:
 - (a) change of Company name, owner or operating authority;
 - (b) change of Company address or address of new owner or operating authority;
 - (2) In the event of any change in ownership of the waste management system the company shall notify the succeeding (new owner) company of the existence of this Certificate, and a copy of such notice shall be forwarded to the Director.
 - (3) The Company shall ensure that all communications made pursuant to this condition will refer to this Certificate number.
15. This Provisional Certificate of Approval revokes all previously issued Provisional Certificates of Approval issued under Part V of the Environmental Protection Act for this waste management system. The approval given herein, including the terms and conditions set out, replaces all previously issued approvals and related terms and conditions under Part V of the Act for this waste management system.

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

1. The reason for condition 1 is to set out clearly that this waste management system is operated in accordance with the application for this Provisional Certificate of Approval and the supporting information submitted therewith and not on a basis or in any way which the Director has not been asked to consider.
2. The reason for conditions 2 and 3 is to ensure that this waste management system is only used to collect, handle and transport waste which it is able to in a suitable manner as the transportation of waste which this waste management system is not able to collect, handle and transport may create a nuisance or result in a hazard to the health and safety of any person or the natural environment.
3. The reason for condition 4 is to ensure that no waste is stored at or applied to an organic soil conditioning site unless a separate Certificate of Approval or Provisional Certificate of Approval for an organic waste management system is obtained from the MOE, which authorizes storage and/or land application of waste on such a site.

13. The reason for condition 14 is to ensure that the waste management system is operated under the corporate, limited or the applicant's own name which appears on the application and supporting information submitted for this Provisional Certificate of Approval and not under any name which the Director has not been asked to consider.
14. The reason for condition 15 is to clearly set out and consolidate the current provisions of the approval covering the Company's operations of the waste management system including the terms and conditions of this approval. By amending and re-issuing this Provisional Certificate of Approval in this manner all interested parties are aware of the rights and obligations of the Company imposed by this approval.

This Certificate of Approval revokes and replaces Certificate(s) of Approval No. A800588 issued on August 12,2004.

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

1. The portions of the approval or each term or condition in the approval in respect of which the hearing is required, and;
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The Notice should also include:

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5. The Certificate of Approval number;
6. The date of the Certificate of Approval;
7. The name of the Director;
8. The municipality within which the waste management system is located;

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

This Notice must be served upon: ''

The Secretary*
 Environmental Review Tribunal
 2300 Yonge St., 12th Floor
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 Toronto, Ontario
 M4P1E4

The Director
 Section 39, *Environmental Protection Act*
 Ministry of Environment and Energy
AND
 Toronto, Ontario
 M4V 1L5

2 St. Clair Avenue West, Floor

*** Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from**

Tribunal at: Tel: (416) 314-4600, Fax: (416) 314-4506 or www.ertgov.on.ca

4. The reason for condition 5 is to ensure that spill clean-up material is handled in accordance with the requirements and specifications of Part X of the Environmental Protection Act.
5. The reason for condition 6 is to ensure that any waste spilled onto the vehicle is promptly contained and cleaned up to minimize the risk of further spillage or the discharge of waste from the vehicle to the environment and to ensure that the proper officials of the Ministry of the Environment are notified and able to give direction to the Company to ensure the complete decontamination of the vehicle and clean up of the spilled material.
6. The reason for condition 7 is to ensure that this waste management system is used to transport waste only to waste disposal sites or facilities that have been approved by the Ministry of the Environment to receive the waste which this waste management system is delivering under this Provisional Certificate of Approval, and that by accepting the waste being delivered by the waste management system, the waste disposal site and facilities will not be out of compliance with its Certificate of Approval or Provisional Certificate of Approval.
7. The reason for condition 8 is to ensure that waste particulates are not emitted to the environment as any such emission may result in a hazard to the health and safety of any person or the natural environment.
8. The reason for condition 9 is to ensure that all vehicles, trailers and equipment including those leased or rented for operation under this Provisional Certificate of Approval have been approved as part of a suitable waste transportation system to collect and transport waste as an unsuitable waste transportation system could result in a hazard to the health and safety of any person or the natural environment.
9. The reason for condition 10 is to ensure that the collection, handling and transportation of waste is conducted in a safe and environmentally acceptable manner, as outlined in Regulation 347.
10. The reason for condition 11 is to ensure that every vehicle operated under this Provisional Certificate of Approval is adequately insured under a vehicle liability policy. The transportation of subject waste in a vehicle that has not been adequately insured under a vehicle liability policy would not be in the public interest.
11. The reason for condition 12 is to ensure that all waste carriers have met and are operating in compliance with the standards for waste management systems outlined in Regulation 347.
12. The reason for condition 13 is to ensure that all asbestos waste in bulk is collected, handled and transported in a safe and environmentally acceptable manner which will not result in a hazard to the health and safety of any person or the natural environment.

DATED AT TORONTO this 30th day of August, 2004



Victor Low, P.Eng.
Director
Section 39, *Environmental Protection Act*

NB/
District Manager, MOE Sarnia
Windsor Area Office