

RENEWABLE ENERGY APPROVALNUMBER 4765-92MKCJ
Issue Date: April 15, 2013PurEnergy Inc.
200 Division Street
Cobourg, Ontario
K9A 4S3Project: 6830 Highway 7
Location: Lot 6, Concession 6
Havelock-Belmont-Methuen Township, County of
Peterborough

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 9,800 kilowatts of electricity (kW_{el}) as outlined in Schedule "A".

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

- (1) "Acoustic Assessment Report" means the report included in the Application and entitled "Noise Study Report" prepared by Golder Associates Ltd., dated August 2012 and signed by Stefan Cicak, P.Eng. and Danny Da Silva, P.Eng.;
- (2) "Acoustic Audit" means an investigative procedure consisting of measurements and/or acoustic modelling of all sources of noise emissions due to the operation of the Facility, assessed to determine compliance with the Performance Limits for the Facility regarding noise emissions, completed in accordance with the procedures set in Publication NPC-103 and reported in accordance with Publication NPC-233;
- (3) "Acoustic Audit Report" means a report presenting the results of an Acoustic Audit, prepared in accordance with Publication NPC-233;

- (4) "Acoustical Consultant" means a person currently active in the field of environmental acoustics and noise/vibration control, who is familiar with Ministry noise guidelines and procedures and has a combination of formal university education, training and experience necessary to assess noise emissions from a Facility;
- (5) "Act" means the *Environmental Protection Act*, R.S.O 1990, c.E.19, as amended;
- (6) "Adverse Effect" has the same meaning as in the Act;
- (7) "Application" means the application for a Renewable Energy Approval dated May 31, 2012, and signed by Gerhard Klammer, Vice President, purEnergy Inc., and all supporting documentation submitted with the application, including amended documentation submitted up to March 22, 2013;
- (8) "Approval" means this Renewable Energy Approval issued in accordance with Section 47.4 of the Act, including any schedules to it;
- (9) "A-weighting" means the frequency weighting characteristic as specified in the International Electrotechnical Commission (IEC) Standard 61672, and intended to approximate the relative sensitivity of the normal human ear to different frequencies (itches) of sound. It is denoted as "A";
- (10) "A-weighted Sound Pressure Level" means the Sound Pressure Level modified by application of an A-weighting network. It is measured in decibels, A-weighted, and denoted "dBA";
- (11) "Biomass" means solid or liquid organic waste derived from plants or animals, all readily biodegradable, and as further described in Condition No. 34(2) of this Approval;
- (12) "BOD5" (also known as TBOD5) means five day biochemical oxygen demand measured in an unfiltered sample and includes carbonaceous and nitrogenous oxygen demand;
- (13) "CBOD5" means five day carbonaceous (nitrification inhibited) biochemical oxygen demand measured in an unfiltered sample;
- (14) "CFIA" means the Canadian Food Inspection Agency;
- (15) "Company" means purEnergy Inc., and includes its successors and assignees;
- (16) "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;
- (17) "Decibel" means a dimensionless measure of Sound Level or Sound Pressure Level, denoted as dB;
- (18) "Decommissioning Plan Report" means the decommissioning plan report identified in item 3 of Table 1 of O. Regulation 350/09;
- (19) "Design and Operations Report" means the report included in the Application and entitled Design and Operations Report, Kawartha Biogas Havelock, Ontario, prepared by purEnergy, dated February 2012;

- (20) "Director" means a person appointed in writing by the Minister of the Environment pursuant to section 5 of the Act as a Director for the purposes of section 47.5 of the Act;
- (21) "District Manager" means the District Manager, of the appropriate local district office of the Ministry where the Facility is geographically located;
- (22) "Double-door Airlock System" means a chamber with two airtight doors in series which do not open simultaneously for entering trucks carrying the Biomass into the Process Building;
- (23) "E. Coli" refers to the thermally tolerant forms of Escherichia that can survive at 44.5 degrees Celsius;
- (24) "Equipment" means the biogas generation system, the combined heat and power generation system, the emergency flaring system, 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;
- (25) "Equivalent Sound Level" is the value of the constant sound level which would result in exposure to the same total A-weighted energy as would the specified time-varying sound, if the constant sound level persisted over an equal time interval. It is denoted L_{eq} and is measured in dB A-weighting (dBA);
- (26) "Facility" means the renewable energy generation facility, including the Equipment located at 6830 Highway 7, Lot 6, Concession 6, Havelock-Belmont-Methuen Township, County of Peterborough, Ontario, as described in this Approval and as further described in the Application, to the extent approved by this Approval;
- (27) "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* ;
- (28) "*Fertilizers Act* " means the *Fertilizers Act* , R.S., 1985, c-F-10, as amended;
- (29) "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;
- (30) "Geometric Mean Density" is the nth root of the product of multiplication of the results of n number of samples over the period specified;
- (31) "Independent Acoustical Consultant" means an Acoustical Consultant who is not representing the Company and was not involved in preparing the Acoustic Assessment Report or the design/implementation of Noise Control Measures for the Facility and/or Equipment. The Independent Acoustical Consultant shall not be retained by the Acoustical Consultant involved in the noise impact assessment or the design/implementation of Noise Control Measures for the Facility and/or Equipment;
- (32) "Liquid Digestate" means the liquid portion of the anaerobically digested (processed) Biomass at the Facility;

- (33) "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;
- (34) "Monthly Average Concentration" means the arithmetic mean of all Daily Concentrations of a contaminant in the effluent sampled or measured, or both, during a calendar month;
- (35) "NASM" or "Non-agricultural Source Material" has the same meaning as in O. Reg. 267/03;
- (36) "NMA" means the *Nutrient Management Act, 2002*, S.O. 2002, c. 4, as amended;
- (37) "Noise Control Measures" means measures to reduce the noise emissions from the Facility and/or Equipment including, but not limited to, barriers, silencers, acoustical louvres, hoods and acoustical treatment, described in the Acoustic Assessment Report;
- (38) "O. Reg. 267/03" means Ontario Regulation 267/03 "General" made under the NMA;
- (39) "O. Reg. 359/09" means Ontario Regulation 359/09 "Renewable Energy Approvals under Part V.0.1 of the Act" made under the Act;
- (40) "OWRA" means the Ontario Water Resources Act, R.S.O. 1990, c. O.40, as amended;
- (41) "PA" means the *Pesticides Act*, R.S.O. 1990, c. P-11, as amended;
- (42) "Point of Reception" has the same meaning as in Publication NPC-205 or Publication NPC-232, as applicable, and is subject to the same qualifications described in those documents;
- (43) "Solid Reception Building" means the building within the Facility where Biomass is received, mixed, stored, and pre-processed, prior to transfer to the reception tanks and subsequently the anaerobic digestion tanks, as shown in Figure 2 of the Design and Operations Report;
- (44) "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;
- (45) "Processed Organic Waste" has the same meaning as in Reg. 347;
- (46) "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;
- (47) "Publication NPC-103" means the Ministry Publication NPC-103 of the Model Municipal Noise Control By-Law, Final Report, August 1978, published by the Ministry as amended;
- (48) "Publication NPC-205" means Ministry Publication NPC-205 "Sound level Limits for Stationary Sources in Class 1 & 2 Areas (Urban)", October 1995, or its successor document;

- (49) "Publication NPC-232" means Ministry Publication NPC-232 "Sound level Limits for Stationary Sources in Class 3 Areas (Rural)", October 1995, or its successor document;
- (50) "Publication NPC-233" means the Ministry Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October, 1995 as amended;
- (51) "Reg. 347" means Regulation 347 "General - Waste Management", R.R.O. 1990, made under the Act;
- (52) "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;
- (53) "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;
- (54) "SDWA" means *Safe Drinking Water Act, 2002*, S.O. 2002, c. 32, as amended;
- (55) "Sewage Treatment Plant" means the entire sewage treatment and effluent discharge facility;
- (56) "Solid Digestate" means the solid portion of the anaerobically digested (processed) Biomass at the Facility;
- (57) "Sound Level" means the A-weighted Sound Pressure Level;
- (58) "Sound Level Limit" is the limiting value described in terms of the one hour A-weighted Equivalent Sound Level L_{eq} ;
- (59) "Sound Pressure" means the instantaneous difference between the actual pressure and the average or barometric pressure at a given location. The unit of measurement is the micro pascal (μPa);
- (60) "Sound Pressure Level" means twenty times the logarithm to the base 10 of the ratio of the effective pressure (μPa) of a sound to the reference pressure of 20 μPa ;
- (61) "Source Separated Organics" or "SSO" has the same meaning as in Ontario Regulation 160/99 "Definitions and Exemptions" made under the *Electricity Act, 1998* ;
- (62) "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;
- (63) "Substantial Completion" has the same meaning as "substantial performance" in the Construction Lien Act;
- (64) "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 – Stacks Description; and
 - Schedule C – Continuous Temperature Monitoring and Recording System for the Emergency Flaring System.
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) Subject to Condition No. 25 (2) 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) The Company shall take no more than 28,590,000 litres (28,590 m³) of water from the quarry water body, on a one time basis, in order to carry out the hydraulic testing of the proposed tanks at the Facility.

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

AIR PERFORMANCE REQUIREMENTS

27. The Company shall install and maintain operational a system to continuously monitor and record the operating temperatures of the emergency flaring system when it is in operation and ensure that the minimum temperature is not less than 900 degrees Celsius. The location and the specifications of the continuous temperature monitoring and recording system are outlined in Schedule "C".

NOISE PERFORMANCE REQUIREMENTS

28. The Company shall:
- (1) ensure that the Sound Levels from the Equipment, at the Points of Reception identified in the Acoustic Assessment Report, comply with the Sound Level Limit of 40 dBA as described in Publication NPC-232;
 - (2) implement prior to the commencement of operation of the Facility, the Noise Control Measures as outlined in the Acoustic Assessment Report; and
 - (3) ensure that the Noise Control Measures are properly maintained and continue to provide the acoustical performance outlined in the Acoustic Assessment Report.

ACOUSTIC AUDIT

29. (1) The Company shall carry out Acoustic Audit measurements on the actual noise emissions due to the operation of the Facility. The Company:
- i. shall carry out Acoustic Audit measurements in accordance with the procedures in Publication NPC-103;
 - ii. shall submit an Acoustic Audit Report on the results of the Acoustic Audit, prepared by an Independent Acoustical Consultant, in accordance with the requirements of Publication NPC-233, to the District Manager and the Director not later than six (6) months after the commencement of operation of the Facility.
- (2) The Director:
- i. may not accept the results of the Acoustic Audit if the requirements of Publication NPC-233 were not followed;
 - ii. may require the Company to repeat the Acoustic Audit if the results of the Acoustic Audit are found unacceptable to the Director.

BIOMASS MANAGEMENT CONDITIONS

GENERAL

Build in Accordance

- 30 . (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

31. Within ninety (90) days of 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

32. (1) within hundred twenty days of the date of this Approval the Company shall submit to the Director, financial assurance, as defined in Section 131 of the Act, for the amount of \$848,714.63. 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, 2016 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 32(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, 2014, 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 32(1) for each of the intervening years in which a re-evaluation is not required to be submitted to the Director under Condition 32(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

33. 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 Compliant

- (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; and
 - 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 BIOMASS TYPES, RATES & STORAGE

Service Area & Waste Types

34. (1) The Company shall only accept Biomass at the Facility from within the Province of Ontario.
(2) The operation of this Facility is limited to receipt and processing of the following types of Biomass:

Organic waste from food processing and preparation facilities such as food preserving, restaurants, and cheese making, grocery stores, cafeterias, food distribution companies, bakeries, confectionary processing facilities, dairies and facilities that process dairy products, fruit and vegetable processing facilities, cereal and grain processing facilities, oil seed processing facilities, snack food processing facilities, snack food manufacturing facilities, breweries and distillers grain, wineries, alcoholic and non-alcoholic beverage manufacturing facilities, fruit and vegetable packing facilities, milling facilities, livestock, aquaculture, paunch manure, agricultural waste including manure, waste from harvesting or processing agricultural products, glycerol and by-products from ethanol, biodiesel, breweries, and distillery plants, FOG, SSO, renewable energy crops (i.e., corn silage), corn and wheat processing residues, protein and slaughterhouse waste, herbaceous plant material from greenhouse, nurseries, garden centres & flower shops, and aquatic plants, organic waste from treatment of wastewater from facilities where food or feed is processed or prepared including DAF, and spent grain soluble (SGS) from ethanol, breweries and distillers plant.

The Biomass may be received as a liquid or a solid of varying composition of the following categories:

- (a) Category A – low energy Biomass such as dairy and other manure, aerobic/anaerobic sludges from food processing plants;
 - (b) Category B – medium energy Biomass such as dairy processing waste, mixed organics from food processors, restaurants, grocery stores and cafeterias;
 - (c) Category C – high energy Biomass such as FOG, glycerine, corn and wheat processing residues, protein and slaughterhouse waste.
- (3) The Company shall not accept at the Facility any waste that is classified as hazardous waste in accordance with Reg. 347 and any waste that is classified as SRM.
- (4) Biomass rates, receipt rates, and waste storage:
- (a) The total amount of Biomass approved to be accepted at the Facility shall not exceed 262,000 tonnes per year.
 - (b) The total amount of Biomass approved to be accepted at the Facility shall not exceed 811 tonnes per day.
 - (c) No more than 3,751 cubic metres of Categories A, B, and C shall be stored at the Facility at the following covered solid reception pit and Reception Tanks at any one time:
 - i. Covered solid reception pit with the maximum capacity of 125 cubic metres;
 - ii. Reception Tank 1 with the maximum capacity of 512 cubic metres; and
 - iii. Reception Tanks 2 and 3 with the maximum capacity of 3,114 cubic metres (each tank capacity 1,557 cubic metres).
 - (d) No more than 3 tonnes of solid Residual Waste shall be stored in a 3 cubic metres dumpster located in the Solid Reception Building at the Facility at any one time;
- (5) Subject to Condition 34(6), no Biomass shall be stored on the floor of the Solid Reception Building, Solid Storage Building, and Dewatered Solids Storage and Loading Building at any time.

- (6) In case of an emergency situation the Company may store for no longer than 72 hours:
 - (a) maximum 145 cubic metres of Biomass on the floor of the Solid Storage Building;
 - (b) maximum 415 cubic metres of dewatered digestate material on the floor of Dewatered Solids Storage and Loading Building.
- (7) No outside waste storage is permitted under this Approval.
- (8) The Company shall ensure that all waste storage and the Solid Reception Building exhausts at all times into the appropriate air pollution equipment approved under this Approval and is undertaken in a manner that does not cause an Adverse Effect or a hazard to the environment or any person.
- (9) In the event that Biomass cannot be processed at the Facility and the Facility is at its approved waste storage capacity, the Company shall cease accepting additional waste. Receipt of additional Biomass may be resumed once such receipt complies with the waste storage limits approved in this Approval.

SIGNS

35. (1) Prior to receipt of waste 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) waste 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 waste and stating warnings about the nature of the waste and any possible hazards.

FACILITY SECURITY

36. (1) All unloading and loading of waste and all waste 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 waste 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

37. (1) Operating hours:

The Company shall restrict the operation of the shipping and receiving trucks from 7 am to 7 pm, Monday to Saturday, and operate 24/7/365.

- (2) Incoming waste receipt:

- (a) All loads of incoming Biomass shall be accompanied by documentation containing the results of the required waste characterization or the identification of a pre-approved generator of waste.
- (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 all incoming Biomass is received within the confines of the Liquid Reception Area and Solid Reception Building.
- (f) The Company shall ensure that the solid Biomass receiving pit, as proposed in the Design and Operations Report, is equipped with a lid and that the lid is closed at all times except when the solid Biomass is being unloaded from the vehicles or during maintenance.
- (g) The Company shall ensure that sufficient storage capacity is available in the Reception Tanks and covered solid reception pit prior to receipt of the Biomass at the Facility.
- (h) The Company shall ensure that the Biomass levels in the Reception Tanks are monitored and controlled on a continuous basis and that the high level alarms are operational at all times.

- (3) 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 all Rejected Waste is returned in the same truck in which it arrived at the Facility or:
 - i. stored in a way that ensures that no Adverse Effect will result from such storage;
 - ii. segregated from all other waste and stored in an enclosed container, if solid, within the confines of the Solid Reception Building;
 - iii. handled and removed from the Facility for disposal in accordance with Reg. 347 and the Act and 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; and

- iv. removed from the Facility within 72 hours of its receipt.
 - (b) In the event that Rejected Waste is inadvertently accepted at the Facility, a written record shall be made of the reason why the waste was rejected and of the origin of the waste, if known. The following information shall be included in the written record:
 - quantity and type of the Rejected Waste;
 - source of the Rejected Waste, if known;
 - reason for rejecting the waste;
 - final destination of the Rejected Waste; and
 - date of receipt and time and date of removal from the Facility.
- (4) Residual Waste handling:
- (a) All Residual Waste shall be stored in an enclosed container in the dumpster container with 3 cubic metres capacity located within the confines of the Solid Reception Building;
 - (b) The Company shall ensure that loading of the Residual Waste into vehicles for transportation from the Facility is conducted only after the dumpster has been closed and sealed inside the Solid Reception Building.
 - (c) The Company shall remove the Residual Waste from the Facility as soon as the dumpster container is full or as directed by the District Manager.
 - (e) All 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.
- (5) Processing limitations:
- The Company shall ensure that no more than:
- (a) 33,040 cubic metres of Biomass is being anaerobically digested in four digester tanks at any time (each tank has a maximum capacity of 8,260 cubic metres); and
 - (b) 3,042 cubic metres of Biomass is being anaerobically digested in the buffer storage tank at any time;
 - (c) 933 cubic metres of wastewater generated from the operation of the Facility shall be stored in the dilution water tank located adjacent to the reception tanks shown in Figure 2 of the Design and Operations Report; and
 - (d) 32 cubic metres of filtrate stored in the filtrate storage tank.
- (6) Odour Control:
- (a) The Company shall ensure that all unloading and pre-processing of the solid Biomass is undertaken entirely within the confines of the Solid Reception Building.
 - (b) The Company shall maintain and monitor a negative air pressure atmosphere within the Solid Reception Building at all times. In the event that adequate negative air pressure cannot be maintained, the Company shall cease accepting additional waste and shall keep the Solid Reception Building access doors closed until such time that negative pressure is re-established.

- (c) The Company shall keep all windows and doors of the Solid Reception Building fully closed at all times, except when the doors are used for necessary personnel or entry or exit of vehicles.
- (d) The Company shall ensure that at all times the air from the Solid Reception Building is exhausted through appropriate and fully functional air pollution control equipment 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 are found to be ineffective, the Company shall cease accepting additional waste and suspend processing 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.

FACILITY INSPECTION AND MAINTENANCE

38. (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 reception tanks, digester tanks, buffer storage tank, and all related pumps, piping, and equipment;
 - (d) any installed air pollution control equipment;
 - (e) security measures undertaken to secure the Biomass storage and processing areas;
 - (f) containment areas, including the run-off collection sumps;
 - (g) presence of leaks and drips;
 - (h) security fencing, gates, barriers and signs; and
 - (i) 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.

BIOMASS QUALITY CRITERIA / TESTING / MONITORING

39. (1) Quality control monitoring of incoming Biomass at the Company's Facility:
- (a) No hazardous waste, as defined in Reg. 347, 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 39 have not been fulfilled or if the analysis of the Biomass as described in Condition 39(2) determines that the metal content in the Biomass exceeds the metal content limits set out in Table 1 below.

TABLE 1

Column 1	Column 2	Column 3
Regulated Metal	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))	Maximum metal concentration in materials that contain total solids dry weight of less than 10,000 milligrams per litre (mg/L)
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

- (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 39(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 39; 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 39 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

- 40. (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

- 41. (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.
- (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 solid 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

42. (1) The Company shall ensure that the exterior of all vehicles leaving the Facility is cleaned and washed prior to their departure from the Facility, as appropriate, and 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) take all practical steps to prevent the escape of litter from the Facility;

- (b) pick up litter around the Facility on a daily basis, or more frequently if necessary; and
 - (c) erect litter fences around the areas causing a litter problem, if necessary.
- (4) 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.
- (5) The Company shall ensure that all on-site roads and operations/yard areas are regularly swept/washed to prevent dust impacts off-site.
- (6) 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

- 43 (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; and
 - (j) routine operating and maintenance procedures in accordance with good engineering practices and as recommended by the Equipment suppliers; and
 - (k) 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

44. (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

45. (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:

- (a) a spill contingency plan, which is capable of monitoring leaks and spills to groundwater;
 - (b) 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;
 - (c) odour abatement plan to propose the design and operation of the contingency measures necessary to alleviate impacts from odours emitted from the Facility;
 - (d) 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;
 - (e) trigger mechanism for implementation of the abatement plans required by (b) and (c), above;
 - (f) a list of equipment and clean up materials available for dealing with the emergency situations;
 - (g) 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;
 - (h) procedures and actions to be taken should the incoming Biomass not meet the quality criteria specified by this Approval; and
 - (i) procedures and actions to be taken should the Processed Material fail to meet the Fertilizer quality criteria specified by the CFIA.
- (2) No waste shall be received at the Facility for storage or processing until the District Manager provides a written concurrence to the Emergency Response and Contingency Plan required by Condition 45(1).
- (3) An up-to-date version of the Emergency Response and Contingency Plan shall be kept at the Facility at all times, in a central location available to all staff, and a copy shall be submitted to the District Manager, the local municipality and the local fire department.
- (4) 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 for comments and concurrence.

EMERGENCY SITUATIONS RESPONSE AND REPORTING

46. (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 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.

- (3) 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.
- (4) 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

47. The Company shall establish and maintain an on-site written or digital record of the following 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:
 - (1) Daily activities:
 - (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, odour and noise monitoring results;
 - (k) housecleaning activities, including litter collection, floor washing/cleaning activities, etc.;
 - (l) an operations log summarizing the operation and maintenance activities of the Equipment; and
 - (m) a record of the operation of the emergency flaring system, including its start time, the duration, the reason for the operation and whether there is any complaint resulting from its operation.

- (2) Emergency situations:
- (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.

- (3) Inspections:
- (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) Training, as required by this Approval:
- (a) date of training;
 - (b) name and signature of person who has been trained; and
 - (c) description of the training provided.

- (5) All sampling and testing activities and records:
- (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.

- (6) Monitoring records:

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

- (7) Complaints response records:

- (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.

(8) Records retention:

The Company shall retain, for a minimum of five (5) years from the date of their creation, all records described in Condition 47, and make these records available for review by the Ministry upon request.

(9) Annual report:

By March 31st 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 the 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 CONDITIONS

EFFLUENT LIMITS

48. (1) The Company shall design, construct, operate and maintain the Sewage Treatment Plant such that the concentrations of the materials named below as effluent parameters are not exceeded in the effluent from the Sewage Treatment Plant.

Table 1 - Effluent Limits	
Column 1	Column 2
Effluent Parameters	Effluent Concentration (milligrams per litre unless otherwise indicated)
CBOD ₅	Less than 20
<u>Temperature:</u> Summer Winter	20 degrees Celsius 15 degrees Celsius
Total Ammonia	5
Total Phosphorous (TP)	0.02
Total Suspended Solids (TSS)	Less than 20
pH of the effluent maintained between 6.8 and 7.2, inclusive at all times.	

- (2) For the purposes of determining compliance with and enforcing Condition 48(1):
- (a) The Monthly Average Concentration of a parameter named in Column 1 of Condition 48(1) shall not exceed the corresponding maximum concentration set out in Column 2 of Condition 48(1); and
 - (b) The pH of the effluent shall be maintained within the limits outlined in Table 1 of Condition 48(1), at all times.
- (3) Notwithstanding Condition 48(1), the Company shall operate and maintain the Sewage Treatment Plant such that the effluent is continuously disinfected so that the monthly Geometric Mean Density of E. Coli does not exceed 200 organisms per 100 millilitres of effluent discharged from the Sewage Treatment Plant.
- (4) Paragraph ((a), and (b) of Condition 48(2) shall apply upon Substantial Completion of the Sewage Treatment Plant.
- (5) The effluent limit set out in Condition 48(3) shall apply upon Substantial Completion of the Sewage Treatment Plant.

- (6) Only those monitoring results collected during the corresponding time period shall be used in calculating the Monthly Average Concentration for this Approval.

MONITORING AND RECORDING

49. (1) The Company shall, upon commencement of operation of the Sewage Treatment Plant, carry out the following monitoring program:
- (2) All samples and measurements taken for the purposes of this Approval are to be taken at a time and in a location characteristic of the quality and quantity of the effluent stream over the time period being monitored.
- (3) For the purposes of this condition, the following definitions apply:
- "Monthly" means once every month.
- (4) Samples shall be collected at the following sampling points, at the frequency specified, by means of the specified sample type and analyzed for each parameter listed and all results recorded:

Table 2 - Influent Monitoring - (Effluent from the Ammonium Recovery System)	
Frequency	Monthly
Sample Type	Grab
Parameters	BOD ₅ , E. Coli, pH, Temperature, Total Ammonia, Total Phosphorus, and Total Suspended Solids.

Table 3 - Effluent Monitoring - (Discharge to Quarry Infiltration Area (QIA))	
Frequency	Monthly
Sample Type	Grab
Parameters	Aluminum, Antimony, Arsenic, Barium, Beryllium, Boron, CBOD5, Calcium, Cadmium, Carbonate and Bicarbonate Alkalinity, Chloride, Conductivity, Cobalt, Copper, Dissolved Oxygen Concentration (DOC), E. Coli, Iron, Lead, Magnesium, Manganese, Mercury, Molybdenum, Nickel, Nitrate + Nitrite Nitrogen, pH, Potassium, Selenium, Silver, Sodium, Sulphate, Temperature, Total Ammonia, Total Phosphorus, Total Suspended Solids, Uranium, Vanadium, and Zinc.

Table 4 – Quarry Waterbody Monitoring	
Frequency	Monthly
Sample Type	Grab
Parameters	Aluminum, Antimony, Arsenic, Barium, Beryllium, Boron, CBOD5, Calcium, Cadmium, Carbonate and Bicarbonate Alkalinity, Chloride, Conductivity, Cobalt, Copper, Dissolved Oxygen Concentration (DOC), E. Coli, Iron, Lead, Magnesium, Manganese, Mercury, Molybdenum, Nickel, Nitrate + Nitrite Nitrogen, pH, Potassium, Selenium, Silver, Sodium, Sulphate, Temperature, Total Ammonia, Total Phosphorus, Total Suspended Solids, Uranium, Vanadium, and Zinc.

- (5) The methods and protocols for sampling, analysis and recording shall conform, in order of precedence, to the methods and protocols specified in the following:
- (a) the Ministry's Procedure F-10-1, "Procedures for Sampling and Analysis Requirements for Municipal and Private Sewage Treatment Works (Liquid Waste Streams Only), as amended from time to time by more recently published editions;
 - (b) the Ministry's publication "Protocol for the Sampling and Analysis of Industrial/Municipal Wastewater" (January 1999), ISBN 0-7778-1880-9, as amended from time to time by more recently published editions;
 - (c) the publication "Standard Methods for the Examination of Water and Wastewater" (21st edition), as amended from time to time by more recently published editions;
 - (d) the Environment Canada publications "Biological Test Method: Reference Method for Determining Acute Lethality of Effluents to Rainbow Trout" (EPS 1/RM/13 Second Edition - December 2000) and "Biological Test Method: Reference Method for Determining Acute Lethality of Effluents to Daphnia magna" (EPS 1/RM/14 Second Edition - December 2000), as amended from time to time by more recently published editions; and

- (e) for any parameters not mentioned in the documents referenced in (a) and (b), the written approval of the District Manager shall be obtained prior to sampling.
- (6) The Temperature and pH of the effluent from the Sewage Treatment Plant shall be determined in the field at the time of sampling for total ammonia nitrogen. The concentration of un-ionized ammonia shall be calculated using the total ammonia concentration, pH and Temperature using the methodology stipulated in "Ontario's Provincial Water Quality Objectives" dated July 1994, as amended, for ammonia (un-ionized).
- (7) The measurement frequencies specified in Condition 49(4) in respect to any parameter are minimum requirements which may, after twenty-four (24) months of monitoring in accordance with this Condition, be modified by the District Manager in writing from time to time.
- (8) The Company shall install and maintain (a) continuous flow measuring device(s), to measure the flow rate of the effluent from the Sewage Treatment Plant with an accuracy to within plus or minus 15 per cent (+/- 15%) of the actual flow rate for the entire design range of the flow measuring device, and record the flow rate at a continuous frequency.

REPORTING

- 50. (1) One (1) week prior to the start-up of the operation of the Sewage Treatment Plant, the Company shall notify the District Manager, in writing, of the pending start-up date.
- (2) The Company shall report to the District Manager, any exceedance of any parameter specified in Condition 48(1) orally, as soon as reasonably possible, and in writing within seven (7) days of the exceedance.
- (3) The Company shall prepare, and submit to the District Manager, a performance report, on an annual basis, within **ninety (90) days** following the end of the period being reported upon. The first such report shall cover the first annual period following the commencement of operation of the Sewage Treatment Plant and subsequent reports shall be submitted to cover successive annual periods following thereafter. The reports shall contain, but shall not be limited to, the following information:
 - (a) a summary and interpretation of all monitoring data and a comparison to the Effluent Limits outlined in Condition 48, including an overview of the success and adequacy of the Sewage Treatment Plant;
 - (b) a description of any operating problems encountered and corrective actions taken;
 - (c) a summary of all maintenance carried out on any major structure, equipment, apparatus, mechanism or thing forming part of the Sewage Treatment Plant;
 - (d) a summary of any effluent quality assurance or control measures undertaken in the reporting period;

- (e) a summary of the calibration and maintenance carried out on all effluent monitoring equipment;
- (f) a tabulation of the volume of sludge generated in the reporting period, an outline of anticipated volumes to be generated in the next reporting period and a summary of the locations to where the sludge was disposed;
- (g) a summary of any complaints received during the reporting period and any steps taken to address the complaints; and
- (h) any other information the District Manager requires from time to time.

Transformer/Substation Spill Containment Facility

51. 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 section C; and
- (4) the Company shall have a qualified technician on-site during construction to ensure that the system is installed in accordance with the approved design and specifications.

52. The Company shall:

- (1) prior to the construction of the transformer/substation spill containment facility, provide for written approval by Director an engineering report and design drawings issued for construction signed and stamped by an independent Professional Engineer licensed in Ontario and competent in electrical and environmental engineering. The report shall also include a statement from the Engineer that he/she has prepared or reviewed the design and is in agreement with it, and that the design meets Ministry's requirements as specified in this Approval;
- (2) within six (6) months after the completion of the construction of the transformer/substation spill containment facility, provide the District Manager and Director a report and as-built drawings signed and stamped by an independent Professional Engineer licensed in Ontario which includes 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 the qualified technician 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.
- (3) As a minimum, the Company shall check the oil detection systems on a monthly basis and create a written record of the inspections;
- (4) 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;

- (5) Immediately identify and clean-up all losses of oil from the transformer;
- (6) Upon identification of oil in the spill containment facility, take immediate action to prevent the further occurrence of such loss;
- (7) 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.
- (8) In the event of finding water accumulation in the PVC pipes (visual inspection) after 48 hrs 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.
- (9) 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 polymer type and obtain approval from the Director to amend this Approval before any modification is implemented.

53. 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:

Effluent Parameters	Maximum Concentration Objective
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.

54. 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:

Effluent Parameters	Measurement Frequency and Sample Points	Sample Type
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 53, the Company shall:
- (a) increase the frequency of sampling to once per month, with samples taken within 48 hours after a 10mm rainfall event, and
 - (b) provide the District Manager, on annual 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 54(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.
- (4) the Company shall, in the event of an exceedance of the maximum concentration objective set out in the table under Condition 53, increase the frequency of sampling to once per month and provide the District Manager, with copies of the written record created for the monitoring until the District Manager provides written direction that monthly sampling is no longer required.

55. The Company shall comply with the following methods and protocols for any sampling, analysis and recording undertaken in accordance with Condition No. 54:

- (1) Ministry of the Environment 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

56. The Company shall implement the sediment and erosion control plan during construction, installation, use, operation, maintenance and retiring of the Facility, as outlined in Section 6.0 of the report included in the Application and entitled Kawartha Biogas Stormwater Management Report, dated January 2012, and prepared by Stantec Consulting Ltd.

SCHEDULE “A”

Facility Description

The Facility shall consist of the construction, installation, operation, use, and retiring of: following processes and supporting units:

- a Class 3 anaerobic digestion facility, to process 262,000 tonnes of solid and liquid Biomass per year to generate 9,800 kilowatts of electricity (kW_{el}) and consisting of the following processes and supporting units:
 - (a) one (1) biogas generation system, including: three (3) reception tanks, one (1) dilution water tank, one (1) buffer tank, four (4) anaerobic digesters for digestion of liquid and solid Biomass;
 - (b) one (1) biogas pre-treatment system including: one (1) desulphurization unit and one (1) gas drying unit, sending the generated dried biogas to the combined heat and power generation system described below;
 - (c) one (1) combined heat and power generation system, including five (5) biogas fired reciprocating engines with a total generating output capacity of 9,800 kilowatts of electricity (kW_{el}), exhausting to five (5) hot water/steam boilers, and eventually discharging to the air through independent stacks as outlined in Schedule “B”;
 - (d) one (1) emergency flaring system, to be operated only during the commissioning period or when the above described heat and power generation system is inoperable, discharging to the air through a stack as outlined in Schedule “B”, to be equipped with a continuous temperature monitoring and recording system and to be operated when the emergency flaring system is in operation; and
 - (e) associated ancillary equipment, systems and technologies, including two (2) ammonia scrubbers (each scrubber is packed-tower type, using PVC-based packing materials and using sulphuric acid as scrubbing solution, having an ammonia removal efficiency of 98 percent, complete with a mist eliminator, discharging to the air through a stack as outlined in Schedule “B”), chemical storage tanks, ammonia strippers, an electrical substation and transmission lines, and associated infrastructure including a perimeter chain link fence and vehicle gate, and gravel surfaced access driveway for vehicles;

all in accordance with the Application.

SCHEDULE "B"

Stacks Description

Stack ID	Description	Approximate Volumetric Flow Rate (m ³ /s)	Approximate Exhaust Temperature (Deg C)	Stack Diameter (m)	Stack Height Above Roof (m)	Stack Height Above Grade (m)
S01	Flare	-	900	0.3	-	14
S08	Boiler 1	-	180	0.25	-	19
S13	Boiler 2	-	180	0.25	-	19
S18	Boiler 3	-	180	0.25	-	19
S23	Boiler 4	-	180	0.25	-	19
S28	Boiler 5	-	180	0.25	-	19
S29	Ammonia scrubber 1	9.4	15	0.45	-	6
S30	Ammonia scrubber 2	9.4	15	0.45	-	6

SCHEDULE “C”

Continuous Temperature Monitoring and Recording System for the Emergency Flaring System

PARAMETER:	Temperature						
LOCATION:	The sample point for the continuous temperature monitoring and recording system shall be located at a location where the measurements are representative of the operating temperatures of the emergency flaring system and are used to verify the performance requirements of the flare.						
PERFORMANCE:	The continuous temperature monitoring and recording system shall meet the following minimum performance specifications for the following parameters.						
DATA RECORDER:	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; padding: 2px;">PARAMETERS</th> <th style="text-align: left; padding: 2px;">SPECIFICATION</th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;">Type:</td> <td style="padding: 2px;">shielded "K" type thermocouple, or equivalent</td> </tr> <tr> <td style="padding: 2px;">Accuracy:</td> <td style="padding: 2px;">±1.5 percent of the minimum exhaust gas temperature</td> </tr> </tbody> </table>	PARAMETERS	SPECIFICATION	Type:	shielded "K" type thermocouple, or equivalent	Accuracy:	±1.5 percent of the minimum exhaust gas temperature
PARAMETERS	SPECIFICATION						
Type:	shielded "K" type thermocouple, or equivalent						
Accuracy:	±1.5 percent of the minimum exhaust gas temperature						
RELIABILITY:	<p>The data recorder must be capable of registering continuously the measurement of the monitoring system without a significant loss of accuracy and with a time resolution of 1 minute or better.</p> <p>The monitoring system shall be operated and maintained so that accurate data is obtained during a minimum of 95 percent of the time for each calendar quarter.</p>						

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) Condition 27 is included to ensure that operation of the emergency flaring system does not result in an Adverse Effect or hazard to the natural environment or any persons.

- (12) Condition 28 is included to provide the minimum performance requirement considered necessary to prevent an Adverse Effect resulting from the operation of the Facility and to ensure that the noise emissions from the Facility will be in compliance with the applicable Sound Level Limits set in Publication NPC-232.
- (13) Condition 29 is included to require the Company to gather accurate information and submit an Acoustic Audit Report in accordance with procedures set in the Ministry's noise guidelines, so that the environmental impact and subsequent compliance with this Approval can be verified.

BIOMASS MANAGEMENT

GENERAL

- (14) Conditions 30 and 31 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.
- (15) Condition 32 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

- (16) Condition 33 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

- (17) Condition 34 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

- (18) Condition 35 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

- (19) Condition 36 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

- (20) Condition 37(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.
- (21) Condition 37(2) is included to ensure that only the approved waste types are accepted and processed at the Facility.
- (22) Condition 37(3) is included to specify the requirements for handling of the Rejected Waste that was inadvertently received at the Facility.
- (23) Conditions 37(4) and 37(5) 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.
- (24) Condition 37(6) is included to specify odour control measures to minimize the potential for odour emissions from the Facility.

FACILITY INSPECTION AND MAINTENANCE

- (25) Condition 38 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

- (26) Conditions 39 and 40 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

- (27) Condition 41 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

- (28) Condition 42 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

- (29) Conditions 43 and 44 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

- (30) Condition 45 is included to ensure that the Company is prepared and properly equipped to take action in the event of an emergency situation.
- (31) Condition 46 is included to require further spill notification to the Ministry, in addition to the requirements already listed in Part X of the Act.

RECORD KEEPING AND RETENTION

- (32) Condition 47 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

EFFLUENT LIMITS

- (33) Condition 48 is imposed to ensure that the effluent discharged from the Sewage Treatment Plant to the environment meets the Ministry's effluent quality requirements thus minimizing environmental impact on the environment.
- (34) Condition 49 is included to enable the Company to evaluate and demonstrate the performance of the Sewage Treatment Plant, on a continual basis, so that the Sewage Treatment Plant are properly operated and maintained at a level which is consistent with the effluent limits specified in the Approval and that the Sewage Treatment Plant does not cause any impairment to the environment.
- (35) Condition 50 is included to provide a performance record for future references, to ensure that the Ministry is made aware of problems as they arise, and to provide a compliance record for all the terms and conditions outlined in this Approval, so that the Ministry can work with the Owner in resolving any problems in a timely manner.

TRANSFORMER/SUBSTATION SPILL CONTAINMENT FACILITY

- (36) Conditions 51, 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.

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**

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, 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 15th day of April, 2013

A handwritten signature in black ink, appearing to read 'V. Schroter', written over a horizontal line.

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

KW/

c: District Manager, MOE Peterborough
Lorena Arimon, PurEnergy Inc.