



Ministry of
Environment
and Energy

Ministère de
l'Environnement
et de l'Énergie

**PROVISIONAL CERTIFICATE OF APPROVAL
FOR A WASTE MANAGEMENT SYSTEM
NO. A 841207
Page 1 of 7**

Under the Environmental Protection Act and the regulations and subject to the limitations thereof, this Provisional Certificate of Approval is issued to:

Ronald Edward Bebee
o/a The Battery Broker
11 Tupper Avenue
Etobicoke, Ontario
M8Z 5H5

for the Waste Management System serving the Province of Ontario

and subject to the following conditions:

1. For the purpose of this Provisional Certificate of Approval:
 - a. "Director" means the Director, Approvals Branch, Ontario Ministry of Environment and Energy;
 - b. "Company" means only Ronald Edward Bebee o/a The Battery Broker;
 - c. "District Officer" means the District Officer of the Ministry of Environment and Energy for the geographic area in which the waste described in conditions 3 and 4 is located;
 - d. "Certificate" means the entire Certificate of Approval including its schedules, if any, issued in accordance with Section 27 of the Environmental Protection Act; and
 - e. "subject waste" means subject waste as defined in Section 1 of Ontario Regulation 347 and includes non-hazardous liquid industrial, and hazardous liquid and hazardous solid waste pursuant to this Provisional Certificate of Approval.
2. Except as otherwise provided by these conditions, the waste management system shall be operated in accordance with the application submitted for this Provisional Certificate of Approval dated May 20, 1992 and with the supporting information submitted to the Ministry of Environment and Energy as part of the application listed below:
 - a) the two letters received on September 29, 1992 and the letters dated April 1, 1993 and July 6, 1993 from Ronald Bebee of the Company.



3. The operation of this waste management system is limited to the collection, handling and transportation of non-hazardous liquid industrial and hazardous liquid waste class no(s). 111-114 inclusive, 121-123 inclusive, 131-135 inclusive, 141-150 inclusive, 211-213 inclusive, 221, 222, 231-233 inclusive, 241, 242, 251-254 inclusive, 261-270 inclusive, 281, 282, 311 and 331 and hazardous solid waste class no(s) 111-114 inclusive, 121-123 inclusive, 131-135 inclusive, 141-150 inclusive, 211-213 inclusive, 221, 222, 231-233 inclusive, 241, 242, 251-254 inclusive, 261-270 inclusive, 281, 282 and 311 as described in the "Ministry of the Environment Waste Classes", as amended, April 29 1985.
4. In addition to the collection and transportation of the waste outlined in the previous condition, this waste management system is also approved under this Provisional Certificate of Approval to collect and transport domestic, commercial and non-hazardous solid industrial waste.
5. Waste shall only be delivered to a waste disposal site or facility which has a Certificate of Approval or a Provisional Certificate of Approval, and only where the waste being delivered complies with the Certificate of Approval or Provisional Certificate of Approval of the receiving waste disposal site or facility.
6. All waste shall only be transported in a covered vehicle.
7. Any addition, deletion or other change to the fleet of vehicles, trailers and equipment (i.e. year, make, model, serial number, licence number and ownership of each vehicle, trailer or piece of equipment) in particular those which are leased or rented, shall be reported to the Director of the Approvals Branch of the Ministry of Environment and Energy within fourteen (14) days of any such change.
8. Every vehicle utilized to collect and transport subject waste pursuant to this Provisional Certificate of Approval shall be insured under a vehicle liability policy for a minimum of one million dollars (\$1,000,000.) until such time as this Provisional Certificate of Approval is revoked.
9. The following documents shall be with each vehicle operated pursuant to this Provisional Certificate of Approval at all times that the vehicle is being operated or contains any waste:
 - (a) A copy of this Provisional Certificate of Approval;
 - (b) A certificate verifying the driver's successful completion of a training and safety program, as required by Regulation 347; and
 - (c) A certificate of vehicle liability insurance specifying that it provides coverage of a minimum of one million dollars (\$1,000,000.).



10. The Company shall promptly take whatever steps are necessary to contain and clean up any spills of waste which have resulted from the operation of this waste management system.
11. The Company shall allow Ministry Personnel, or a Ministry authorized representative(s) upon presentation of credentials, to:
 - (1) carry out any and all inspections authorized by Section 156, 157 or 158 of the Environmental Protection Act, as amended from time to time, of any place to which this Certificate relates; and,
without restricting the generality of the foregoing, to:
 - (2) (a) enter at reasonable times upon the premises where the approved waste management system is located, or the location where the records required by the conditions of this Certificate are kept;
 - (b) have access to and copy, at reasonable times, any records required by the conditions of this Certificate;
 - (c) inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations required by the conditions of this Certificate; and
 - (d) sample and monitor at reasonable times for the purposes of assuring compliance with the conditions of this Certificate.
12. i) The requirements of this Certificate are severable. If any requirement of this Certificate, or the application of any requirement of this Certificate to any circumstance, is held invalid, the application of such requirement to other circumstances and the remainder of this Certificate shall not be affected thereby.

ii) In all matters requiring the interpretation and implementation of this Certificate, the conditions of the Certificate shall take precedence, followed in descending order by the Company's application and the documentation, referred to in this Certificate, which is submitted in support of the application.
13. The obligations imposed by the terms and conditions of this Certificate of Approval are obligations of due diligence.



14. (1) The Company shall notify the Director in writing of any of the following changes within thirty (30) days of the change occurring:
- (a) change of owner or operator or both;
 - (b) change of address or address of new owner;
 - (c) change of partners where the Company is or at any time becomes a partnership, and a copy of the most recent registration registered under the Business Names Act shall be included in the notification to the Director;
 - (d) change of name of the corporation where the Company is or at any time becomes a corporation, and a copy of the most current
 - i) "Initial Notice or Notice of Change" (Form 1, 2 or 3 of O. Reg. 182, as amended from time to time), filed under the Corporations Information Act
 - ii) Extra-Provincial Licence filed under the Extra-Provincial Corporations Act
 - iii) Articles of Incorporation, Forms 3 and 6, filed under the Canada Business Corporations Act, from Consumer and Corporate Affairs Canada shall be included in the notification to the Director;
 - (e) change in directors or officer of the corporation where the Company is or at any time becomes a corporation, and a copy of the most current "Initial Notice or Notice of Change" as referred to in (d), supra.
- (2) In the event of any change in ownership of the waste management system the Company shall notify the succeeding (new owner) company of the existence of this Certificate, and a copy of such notice shall be forwarded to the Director.
- (3) The Company shall ensure that all communications made pursuant to this condition will refer to this Certificate number.
15. This Provisional Certificate of Approval revokes all previously issued Provisional Certificates of Approval issued under Part V of the Environmental Protection Act for this waste management system. The approval given herein, including the terms and conditions set out, replaces all previously issued approvals and related terms and conditions under Part V of the Act for this waste management system.



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

1. The reason for condition 2 is to set out clearly that this waste management system is operated in accordance with the application for this Provisional Certificate of Approval and the supporting information submitted therewith and not on a basis or in any way which the Director has not been asked to consider.
2. The reason for conditions 3 and 4 is to ensure that this waste management system is only used to collect, handle and transport waste which it is able to in a suitable manner as the transportation of waste which this waste management system is not able to collect, handle and transport may create a nuisance or result in a hazard to the health and safety of any person or the natural environment.
3. The reason for condition 5 is to ensure that this waste management system is used to transport waste only to waste disposal sites or facilities that have been approved by the Ministry of Environment and Energy to receive the waste which this waste management system is delivering under this Provisional Certificate of Approval, and that by accepting the waste being delivered by the waste management system, the waste disposal site and facilities will not be out of compliance with its Certificates of Approval or Provisional Certificates of Approval.
4. The reason for condition 6 is to ensure that waste particulates are not emitted to the environment as any such emission may result in a hazard to the health and safety of any person or the natural environment.
5. The reason for condition 7 is to ensure that all vehicles, trailers and equipment including those leased or rented for operation under this Provisional Certificate of Approval have been approved as part of a suitable waste transportation system to collect and transport waste as an unsuitable waste transportation system could result in a hazard to the health and safety of any person or the natural environment.
6. The reason for condition 8 is to ensure that every vehicle operated under this Provisional Certificate of Approval is adequately insured under a vehicle liability policy. The transportation of subject waste in a vehicle that has not been adequately insured under a vehicle liability policy would not be in the public interest.
7. The reason for condition 9 is to ensure that all waste carriers have met and are operating in compliance with the standards for waste management systems outlined in Regulation 347.



8. The reason for condition 10 is to ensure that any waste spilled onto the vehicle is promptly contained and cleaned up to minimize the risk of further spillage or the discharge of waste from the vehicle to the environment and to ensure that the proper officials of the Ministry of Environment and Energy are notified and able to give direction to the Company to ensure the complete decontamination of the vehicle and clean up of the spilled waste.
9. The reason for condition 11 is to ensure that the appropriate Ministry staff have ready access to the waste management system to inspect the Company's operations that are under this Provisional Certificate of Approval. The condition is supplementary to the powers of entry afforded a Provincial Officer pursuant the Environmental Protection Act, as amended.
10. Condition 12 has been included to clarify the legal rights and obligations of this Provisional Certificate of Approval.
11. Condition 13 is required to clarify that the terms and conditions of this Certificate of Approval impose a standard of due diligence and not absolute liability.
12. The reason for condition 14 is to ensure that the waste management system is operated under the corporate, limited or the applicant's own name which appears on the application and supporting information submitted for this Provisional Certificate of Approval and not under any name which the Director has not been asked to consider.
13. The reason for condition 15 is to clearly set out and consolidate the current provisions of the approval covering the Company's operations of the waste management system including the terms and conditions for this approval. By amending and re-issuing this Provisional Certificate of Approval in this manner all interested parties are aware of the rights and obligations of the Company imposed by this approval.

You may by written notice served upon me and the Environmental Appeal Board within 15 days after receipt of this Notice, require a hearing by the Board. Section 142 of the Environmental Protection Act, R.S.O. 1990 c. E-19, provides that the Notice requiring the hearing shall state:

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



In addition to these legal requirements, the Notice should also include:

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

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

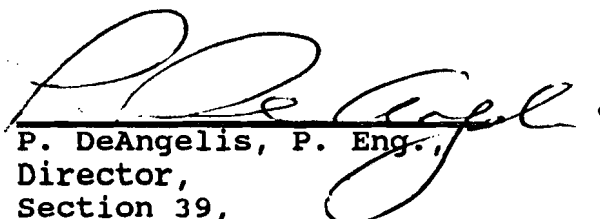
This Notice must be served upon:

The Secretary,
Environmental Appeal Board,
112 St. Clair Avenue West,
Suite 502,
Toronto, Ontario,
M4V 1N3

AND

The Director,
Section 39, Environmental Protection Act,
Ministry of the Environment and Energy,
250 Davisville Avenue, 3rd Floor,
Toronto, Ontario.
M4S 1H2

DATED AT TORONTO this 8th day of November, 1993.


P. DeAngelis, P. Eng.,
Director,
Section 39,
Environmental Protection Act

SW/es
cc: District Officer, Toronto

The Battery Broker Environmental Services Inc.
11 Tupper Avenue
Etobicoke, Ontario
M8Z 5H5

You are hereby notified that Provisional Certificate of Approval No. A 841207 dated November 8, 1993 is being amended as follows:

The name of the Company has changed as follows:

from: Ronald Edward Bebee o/a The Battery Broker

To: The Battery Broker Environmental Services Inc.

All other terms and conditions remain unchanged.

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

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

In addition to these legal requirements the Notice should also include:

- 3. The name of the appellant;*
- 4. The address of the appellant;*
- 5. The Certificate of Approval number;*
- 6. The date of the Certificate of Approval;*
- 7. The name of the Director;*
- 8. The municipality within which the waste management system is located;*

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


This Notice must be served upon:

The Secretary,
Environmental Appeal Board,
112 St. Clair Avenue West,
Suite 502,
Toronto, Ontario,
M4V 1N3

AND

The Director,
Section 39, Environmental Protection Act,
Ministry of Environment and Energy,
250 Davisville Avenue, 3rd Floor,
Toronto, Ontario.
M4S 1H2

DATED AT TORONTO this 23th day of January, 1996.


A. Dominski, P. Eng.
Director
Section 39
Environmental Protection Act



Ontario

Ministry of the Environment
Ministère de l'Environnement

NOTICE
Page 1 of 2

TO: Ronald Edward Bebee
o/a The Battery Broker
11 Tupper Avenue
Etobicoke, Ontario
M5Z 5H5

You are hereby notified that Provisional Certificate of Approval No. A 841207 dated October 14, 1992 issued to you, is being amended as follows:

Condition No. 3 of your Provisional Certificate of Approval is hereby revoked and replaced with the following updated condition No. 3.

3. The operation of this waste management system is limited to the collection, handling and transportation of non-hazardous liquid industrial, hazardous liquid and hazardous solid waste class no(s) 121 and 148 as described in the "Ministry of the Environment Waste Classes", as amended, April 29, 1985.

The corresponding reason remains the same.

You may by written notice served upon me and the Environmental Appeal Board within 15 days after receipt of this Notice, require a hearing by the Board. Section 142 of the Environmental Protection Act, R.S.O. 1990 c. E-19, provides that the Notice requiring the hearing shall state:

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

In addition to these legal requirements the Notice should also include:

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

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



This Notice must be served upon:

The Secretary,
Environmental Appeal Board,
112 St. Clair Avenue West,
Suite 502,
Toronto, Ontario,
M4V 1N3

AND

The Director,
Section 39, Environmental Protection Act,
Ministry of Environment and Energy,
250 Davisville Avenue, 3rd Floor,
Toronto, Ontario.
M4S 1H2

DATED AT TORONTO this 20th day of April, 1993.

A handwritten signature in black ink, appearing to read "T.D. Armstrong", written over a horizontal line.

T.D. Armstrong, P. Eng.
Director
Section 39
Environmental Protection Act

SC/es

cc: Geoff Carpentier