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Stoney Creek Regional Facility



# **Environmental Assessment Annual Compliance Report**

## **(September 19, 2019 to September 19, 2020)**





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# 1. Introduction

## 1.1 Purpose and Background

In accordance with Condition 5 of the Minister of the Environment, Conservation and Parks' (Minister's) Notice of Approval to Proceed with the Undertaking, this report describes the results of the Terrapure Environmental (Terrapure) Stoney Creek Regional Facility (SCRF) Environmental Assessment (EA) Compliance Monitoring Program for the compliance reporting period of **September 19, 2019 to September 19, 2020**.

The Minister approved the Terrapure SCRF EA that proposed to increase the capacity of the SCRF (Facility, Site) on September 19, 2019. The Minister's Notice of Approval (Approval) to proceed with the Undertaking issued under Section 9 of the *Environmental Assessment Act*, dictates the conditions of the Approval of the Undertaking that must be adhered to by Terrapure. In particular, the following conditions relating to compliance monitoring and reporting were specified by the Minister in his approval to proceed:

### 4. Compliance Monitoring Program

- 4.1. *The Proponent shall prepare and submit to the Director for approval and for the public record, an Environmental Assessment compliance monitoring program.*
- 4.2. *The compliance monitoring program shall be submitted within 60 days from the Date of Approval, or by another date agreed upon by the Director.*
- 4.3. *The compliance monitoring program shall include a description of how the Proponent will:*
  - a. *monitor implementation of the Undertaking in accordance with the Environmental Assessment with respect to mitigation measures, public consultation, and additional studies and work to be carried out;*
  - b. *monitor compliance with the conditions in this Notice of Approval; and,*
  - c. *monitor compliance with all commitments made in the Environmental Assessment and the subsequent review of and approval process for the Environmental Assessment with respect to mitigation measures, public consultation, and additional studies and work to be carried out.*
- 4.4. *The compliance monitoring program must contain an implementation schedule for monitoring activities to be completed.*
- 4.5. *The Director may require the Proponent to amend the compliance monitoring program at any time. Should an amendment be required, the Director will notify the Proponent in writing of the required amendment and the date by which the Proponent must complete and submit the amendment to the Director.*
- 4.6. *The Proponent shall submit the amended compliance monitoring program to the Director within the time period specified by the Director.*
- 4.7. *The Proponent shall implement the compliance monitoring program and any amendments to it.*

### 5. Compliance Reporting

- 5.1. *The Proponent shall prepare an annual compliance report outlining the results of the compliance monitoring program (Condition 4 above) and place the document on the public record.*
- 5.2. *The first compliance report shall be submitted to the Director for review and for the public record no later than one year following the start of construction. Each subsequent annual compliance report shall be submitted on the date that is the anniversary of the start of*



*construction thereafter. . Each report shall cover the previous year to the date of report submission.*

*5.3. The Proponent shall submit annual compliance reports until all conditions are satisfied.*

*5.4. Once all conditions in this Notice of Approval have been satisfied, the Proponent shall notify the Director in writing that the final annual compliance report is being submitted, and that all conditions in this Notice of Approval have been satisfied. The Ministry will confirm whether all conditions have been satisfied and the Director will state this in writing to the Proponent.*

*5.5. The Proponent shall retain either on the Site or in another location approved by the Director, copies of the annual compliance reports for each reporting year and any associated documentation of compliance monitoring activities.*

*5.6. The Proponent shall make the compliance reports and associated documentation available to the Director or a designate in a timely manner when requested to do so by the Ministry.*

In accordance with Condition 4, the Terrapure SCRF EA Compliance Monitoring Program (revised) was approved by the Ministry of the Environment, Conservation and Parks (MECP) on January 27, 2020.

## **1.2 Overview of the Annual Compliance Report**

In accordance with Conditions 5.1 through 5.6 of the Minister's Approval, Terrapure is to report on the results of the EA Compliance Monitoring Program. The EA Annual Monitoring Reports are to cover the activities of the previous year to the date of report submission.


Consistent with the framework presented in the EA Compliance Monitoring Program, the EA Annual Compliance Report is composed of the following sections:

- **Section 2** lists the nineteen commitments made by Terrapure during the SCRF EA that were documented in Section 8.3 of the SCRF EA Report as well as the Minister's *EA Act* Approval conditions that need to be satisfied.
- **Section 3** lists all of the impact management measures and monitoring programs that are to be implemented as set out in Section 6 the SCRF EA Report. These impact management measures and monitoring programs must be implemented as part of fulfilling EA Commitments #1 and #2.
- **Section 4** lists the additional approvals, authorizations and permits acquired beyond *EA Act* approval as documented in Section 9.0 of the SCRF EA Report.

Sections 2 through 4 of the EA Annual Compliance Report include compliance monitoring tables. The text in the columns under the **Compliance Monitoring Program** heading was included in the approved EA Compliance Monitoring Program. This text remains the same with each EA Annual Compliance Report.

In each of the tables, the following two columns are used to report on activities of the compliance reporting period:

- **Status/Remarks** – allows for an update to be provided on where the fulfillment of the provision stands versus its planned implementation schedule.
- **Compliance Achieved? (Yes or In Progress)** – allows for a “yes” or “in progress” response to be provided so compliance fulfillment can be easily tracked.



As per Conditions 5.5 and 5.6, copies of all Annual Monitoring Reports and any associated compliance documentation will be kept at the SCRF and will be made available to the Director or a designate upon request.

## 2. **EA Commitments and EA Act Approval Conditions**

Included in the following **Table 2.1** are the following:

- Commitments made during the SCRF EA that need to be satisfied during implementation of the Undertaking, as documented in Section 8.3 of the SCRF EA Report.
- *EA Act* approval conditions that need to be satisfied during implementation of the Undertaking included in the Minister's Notice of Approval. Where an *EA Act* approval condition relates to an EA commitment, both have been included in the same row for compliance tracking purposes.



**Table 2.1 SCRF EA Commitments and EA Conditions**

Compliance Program (as per approved Compliance Monitoring Program)							Compliance Reporting (as of September 19, 2020)	
Category	EA Commitments			EA Act Approval Conditions	Evidence of Compliance	Implementation Schedule (Estimate Timelines and Dates)	Status/Remarks	Compliance Achieved? (Yes/In Progress)
	EA Report Section	EA Commitment #	EA Commitment					
General	6.7	1	Implement the impact management measures as outlined in Table 6.37 (Section 6.7), unless they are determined and documented to be no longer applicable or required.	<b>Condition #2 - General Requirements</b> 2.1. The Proponent shall comply with the provisions in the Environmental Assessment, which are hereby incorporated into this Notice of Approval by reference, except as provided in the conditions of this Notice of Approval and as provided in any other approval or permit that may be issued for this Site. 2.2. The Proponent shall fulfill all commitments made in the Environmental Assessment. 2.3. The conditions of the Notice of Approval do not prevent more restrictive conditions being imposed under other statutes.	Confirm impact management measures have been implemented.	Pre-implementation of Undertaking; ongoing and post-closure	Please refer to Section 3.0	
	6.7, 8.1	2	Implement the monitoring programs as outlined in Table 6.37 (Section 6.7) and Section 8.1 unless they are determined and documented to be no longer applicable or required.		Confirm monitoring programs have been implemented.	Pre-implementation of Undertaking; ongoing and post-closure	Please refer to Section 3.0	
	8.2	3	Prepare an Environmental Management Plan (EMP) and/or Best Management Practice (BMP) Plans following approval of the proposed Undertaking. The EMP and/or BMP Plans will identify a description of the proposed impact management measures, commitments, and monitoring, as well as a description on the standard best management practices (BMPs) that are currently in place at the Site that will continue.	<b>Condition #10 - Odour and Dust Management</b> 10.1. Within 60 days from the date of approval, Odour and dust management plans will be provided to the City of Hamilton, the community liaison committee, Hamilton Wentworth District School Board, the Hamilton Wentworth Catholic School Board and any other interested party for a 30-day comment period prior to finalization. 10.2. Odour and dust management plans will include a complaints protocol and issues resolution mechanisms. 10.3. Upon finalization proponent shall post the odour and dust management plans to their website and submit to the Director.	Confirm EMP and/or BMP Plan(s) have been prepared prior to implementation of the Undertaking.	Pre-implementation of Undertaking	The Odour and Dust Management Plans were provided to the City of Hamilton, the Community Liaison Committee, Hamilton Wentworth District School Board, and the Hamilton Wentworth Catholic School Board for a 30-day comment period prior to submission to the MECP. Comments were received from the MECP on April 3, 2020. Comments are being addressed and the Plans will be resubmitted.	In Progress
	8.2	4	Prepare a Compliance Monitoring Program following approval of the proposed Undertaking, which will include the commitments outlined in Section 8.3 as well as any EA Act conditions of approval. Report annually on how commitments have been fulfilled until all commitments are fulfilled.		<b>Condition #4 - Compliance Monitoring Program</b> 4.1. The proponent shall prepare and submit to the Director of the Environmental Assessment and Permissions Branch (Director) for approval and for the public record, an Environmental Assessment compliance monitoring program. 4.2. The compliance monitoring program shall be submitted within 60 days from the Date of Approval, or by another date agreed upon by the Director. 4.3. The compliance monitoring program shall include a description of how the Proponent will: a. monitor implementation of the Undertaking in accordance with the Environmental Assessment with respect to mitigation measures, public	Confirm Compliance Monitoring Program have been prepared prior to implementation of the Undertaking.	Pre-implementation of Undertaking	The Compliance Monitoring Program was approved by the MECP on January 27, 2020.



				<p><i>consultation, and additional studies and work to be carried out;</i></p> <p><i>b. monitor compliance with the conditions in this Notice of Approval; and,</i></p> <p><i>c. monitor compliance with all commitments made in the Environmental Assessment and the subsequent review of and approval process for the Environmental Assessment with respect to mitigation measures, public consultation, and additional studies and work to be carried out.</i></p> <p><i>4.4. The compliance monitoring program must contain an implementation schedule for monitoring activities to be completed.</i></p> <p><i>4.5. The Director may require the Proponent to amend the compliance monitoring program at any time. Should an amendment be required, the Director will notify the Proponent in writing of the required amendment and the date by which the Proponent must complete and submit the amendment to the Director.</i></p> <p><i>4.6. The Proponent shall submit the amended compliance monitoring program to the Director within the time period specified by the Director.</i></p> <p><i>4.7. Proponent shall implement the compliance monitoring program and any amendments to it.</i></p> <p><b>Condition #5 - Compliance Reporting</b></p> <p><i>5.1. The Proponent shall prepare an annual compliance report outlining the results of the compliance monitoring program (Condition 4 above) and place the document on the public record.</i></p> <p><i>5.2. The first compliance report shall be submitted to the Director for review and for the public record no later than one year following the start of construction. Each subsequent annual compliance report shall be submitted on the date that is the anniversary of the start of construction thereafter. Each report shall cover the previous year to the date of report submission.</i></p> <p><i>5.3. The Proponent shall submit annual compliance reports until all conditions are satisfied.</i></p> <p><i>5.4. Once all conditions in this Notice of Approval have been satisfied, the Proponent shall notify the Director in writing that the final annual compliance report is being submitted, and that all conditions in this Notice of Approval have been satisfied. The Ministry will confirm whether all conditions have been satisfied and the Director will state this in writing to the Proponent.</i></p> <p><i>5.5. The Proponent shall retain either on the Site or in another location approved by the Director, copies of the annual compliance</i></p>				<p>The first Annual Compliance Report was submitted to the MECP on September 19, 2020.</p>	<p>In Progress</p>
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				<p>reports for each reporting year and any associated documentation of compliance monitoring activities.</p> <p>5.6 The Proponent shall make the compliance reports and associated documentation available to the Director or a designate in a timely manner when requested to do so by the Ministry.</p>				
	8.4	5	Review and modify existing contingency plans.	Not Applicable (N.A.)	Confirm contingency plans have been reviewed/modified prior to implementation of the Undertaking.	Pre-implementation of Undertaking	Contingency plans were updated and included as Condition 13.0 in the SCRF Amended Environmental Compliance Approval (ECA) (A181008), issued on October 31, 2019.	Yes
	9	6	Acquire all necessary permits/approvals, as outlined in Section 9.	N.A.	Confirm permits/approvals are obtained prior to implementation of the Undertaking.	Pre-implementation of Undertaking	Refer to Section 4.0	
	N.A.			<p><b>Condition #11 - Duration of Approval</b></p> <p>11.1. If construction of the Undertaking has not commenced within 5 years from the Date of Approval, this Notice of Approval shall expire.</p>	If construction has not commenced within 2 years of the Date of Approval, confirm that a review of the Environmental Assessment has been completed and submitted to the Director for approval.	Pre-implementation of Undertaking	Construction on the Undertaking has commenced.	Yes
	N.A.			<p><b>Condition #3 - Public Record</b></p> <p>3.1. Where a document is required for the public record, the Proponent shall post the document on the Proponent website and provide one hardcopy and one electronic copy of the document to the Director.</p> <p>3.2. The Environmental Assessment Reference Number 16067 and environmental assessment File Number 03-08-02 shall be quoted on all documents submitted to the Ministry pursuant to this Notice of Approval.</p> <p>3.3. For every document submitted to the Ministry, the Proponent shall clearly identify which condition of approval the document is meant to fulfill.</p>	Confirm that documents required for the public record have complied with conditions, as appropriate.	Upon submission of documents for the public record	<p>The following documents required for the public record were posted on the Proponent website (<a href="http://www.terrapurestoneycreek.com">www.terrapurestoneycreek.com</a>)</p> <ul style="list-style-type: none"> <li>Compliance Monitoring Program</li> <li>Complaint Protocol</li> <li>Truck Operations Monitoring Framework</li> </ul> <p>The following documents required for the public record will be posted on the Proponent website when finalized:</p> <ul style="list-style-type: none"> <li>Odour and Dust Management Plans</li> <li>EA Annual Compliance Reports</li> </ul>	In Progress
<b>Archaeology</b>	6.2.5.2	7	Should previously undocumented archaeological or indigenous resources be discovered during construction, Terrapure will cease alteration of the Site immediately and engage a licensed consultant archaeologist to carry out archaeological fieldwork, in compliance with Sec. 48 (1) of the Ontario Heritage Act. In accordance with the Funeral, Burial and Cremation Service Act, 2002 should Terrapure discover human remains, the police or coroner and the Registrar of Cemeteries, Ministry of Small Business and Consumer Services will be notified immediately.	N.A.	Confirm no previously undocumented archaeological or indigenous resources are discovered during construction.	Pre-implementation of Undertaking	No archaeological resources or indigenous resources were discovered during construction during this annual compliance reporting period.	In Progress





<b>Human Health</b>	6.5.3.2	8	Continue to undertake the Community Health Assessment Review as part of the Annual Monitoring Report for the SCRF.	N.A.	Verify annually that this review has been conducted.	Pre-implementation of Undertaking; ongoing	The Community Health Assessment Review was completed and documented in the 2019 SCRF Annual Monitoring and Operations Report.	In Progress
<b>Ongoing Consultation</b>	7.12	9	Consult with review agencies through meetings and correspondence on an as-needed basis during design and construction to discuss issues related to their agencies' mandate, such as the permits and approvals identified in <b>Section 9</b> required prior to construction or operation.	N.A.	Confirm permits and approvals have been obtained.	Pre-implementation of Undertaking	Refer to Section 4.0	
	7.12	10	Provide the Hamilton Conservation Authority with the Stormwater Management Plan post-approval during the Design Stage.	N.A.	Confirm the Hamilton Conservation Authority has received the Stormwater Management Plan.	Pre-implementation of Undertaking	No changes were made during this annual compliance reporting period to stormwater management at the facility. Once changes are planned, the Stormwater Management Plan will be circulated to Hamilton Conservation Authority for information.	In Progress
	7.12	11	Re-calculate reasonable Use Criteria (RUC) values for the 2018 Annual Monitoring Report and provide to the City of Hamilton.	N.A.	Confirm updated RUC values are included in 2018 Annual Monitoring Report.	Pre-implementation of Undertaking, ongoing	Reasonable use criteria are addressed in the SCRF Annual Monitoring and Operations Reports, which are provided to the City as per Condition 3.3 of the Amended ECA.	Yes
	7.12	12	The potential visual screening measures presented in <b>Section 6.2.2.1</b> will be finalized following approval of the Undertaking, and implemented, as appropriate.	N.A.	Confirm visual screening measures have been implemented, as appropriate.	Pre-implementation of Undertaking, ongoing	No visual screening measures were required to be implemented during this annual compliance reporting period.	In progress
	7.12	13	Continue to consult and engage Indigenous communities involved during the SCRF EA (i.e. Mississaugas of the Credit First Nation, Six Nations of the Grand River First Nation, Haudenosaunee Confederacy Chiefs Council, and Metis Nation of Ontario) as appropriate (e.g. notification of project updates, opportunity to participate in site tours, involvement in habitat restoration, circulation of Environmental Management Plan).	<b>Condition #7 - Consultation with Indigenous Communities</b> 7.1. The Proponent shall prepare, in consultation with Indigenous communities, an Indigenous consultation plan that sets forth: a) How the Proponent will consult with Indigenous communities and provide them with opportunities to be involved in environmental monitoring activities. b) How the Proponent will notify Indigenous communities, using a notification protocol, if archaeological resources or Indigenous remains are encountered. c) How the Proponent will issue Notices and updates to Indigenous communities. 7.2. Within six (6) months from the date of approval or by such other date as may be agreed in writing by the Director, the Proponent shall submit the Indigenous consultation plan to the Director for approval with an outline of how the Proponent consulted on it as per condition 7.1 above.	Confirm Indigenous Consultation plans are prepared in consultation with Indigenous communities.	Pre-implementation of Undertaking; ongoing	The Indigenous Consultation Plan was approved by the MECP on April 17, 2020.	Yes



				7.3. Once the Director is satisfied with the Indigenous consultation plan, the Proponent shall implement the Indigenous consultation plan as approved.				
7.12	14	Diligently examine future requests by the Mississaugas of the Credit First Nation for ongoing consultation following EA Act approval of the proposed Undertaking including but not limited to site tours and monitoring or habitat restoration, at the First Nations request.	N.A.	Confirm requests by the Mississaugas of the New Credit First Nation are diligently examined.	Pre-implementation of Undertaking; ongoing	No requests were received during this annual compliance reporting period.	In progress	
7.12	15	Provide the Mississaugas of the Credit First Nation with the Environmental Management Plan (EMP) for their review and input, for Terrapure's consideration.	N.A.	Confirm the EMP is provided to the Mississaugas of the New Credit First Nation and comments are considered.	Pre-implementation of Undertaking	The Environmental Management Plan is in progress and will be circulated to the Mississaugas of the Credit First Nation when complete.	In progress	
7.12	16	Continue to release an annual report highlights for the operations of the SCRF.	N.A.	Verify in Annual Facility Reporting that these commitments have been fulfilled.	Pre-implementation of Undertaking; ongoing	The 2019 SCRF Annual Monitoring and Operations Report was submitted on June 30, 2020 and will continue to be submitted annually as per Condition 14.1 of the Amended ECA.	Yes	
7.12	17	Maintain the Community Liaison Committee (CLC) and utilize the existing CLC website for public communications about the Stoney Creek Regional Facility.	<p><b>Condition #8 - Community Liaison Committee (CLC)</b></p> <p>8.1. The proponent shall maintain a Community Liaison Committee to provide a forum for public concerns to be raised and for mitigation measures to be discussed.</p> <p>8.2. If there is no interest from the public in establishing and participating in a CLC (once sufficient notice has been given), or if there is no interest in continuing a CLC after one has been established, the Proponent shall publish a notice at least once a year inviting expressions of interest in forming the CLC.</p> <p>8.3. The CLC, as required, shall serve for the dissemination, review and exchange of information and monitoring results relevant to the undertaking.</p> <p>8.4. The proponent shall ensure that the following agencies, communities and stakeholders are invited to join the community liaison committee as full members:</p> <ul style="list-style-type: none"> <li>a) Representatives from The City of Hamilton</li> <li>b) Interested Indigenous communities as identified in the Indigenous consultation plan</li> <li>c) Representatives from the Hamilton Wentworth District School Board</li> <li>d) Representatives from Hamilton Wentworth Catholic School Board</li> </ul>	Confirm the CLC is maintained that that both local school boards and interested indigenous communities have been invited to be members.	Pre-implementation of Undertaking; ongoing	<p>The CLC was maintained during this annual compliance reporting period and will continue to be maintained as per Condition 3.0 of the Amended ECA.</p> <p>The City of Hamilton continues to be represented on the CLC. The Hamilton Wentworth District School Board, Hamilton Wentworth Catholic School Board and Indigenous communities involved during the EA were invited to participate in the CLC.</p>	Yes	
N.A.	18	Continue to consult with the City of Hamilton on the groundwater monitoring program as part of future annual monitoring.	N.A.	Confirm the City of Hamilton has been consulted on the groundwater monitoring program.	Pre-implementation of Undertaking; ongoing	The City was consulted by the MECP during preparation of the Amended ECA, which documents the groundwater	Yes	



							monitoring program. As well, the City is circulated on the Annual Monitoring and Operations Reports, which document the groundwater monitoring program, as per Condition 3.3 of the Amended ECA.	
N.A.	19	Prepare a Truck Operations Monitoring Framework describing proposed driver training and awareness strategies, in consultation with the City of Hamilton; and maintain the Framework during construction and operations of the SCRF.	<p><b>Condition #9 - Truck Operations Monitoring</b></p> <p>9.1. Within 60 days from the date of approval, a Truck Operations Monitoring Framework, as describe in the commitments of the EA, will be provided to the City of Hamilton for a 30-day comment period prior to finalization. Comments from the City will be considered prior to finalization of the Truck Operations Monitoring Framework.</p> <p>9.2. The Truck Operations Monitoring Framework shall include a complaints protocol and issues resolution mechanisms.</p> <p>9.3. After finalization of the Truck Operations Monitoring Framework the proponent shall post it on their website and provide copies to the City of Hamilton and the local district schools boards.</p>	Confirm the Truck Operations Monitoring Framework has been prepared in consultation with the City and posted to the SCRF website.	Pre-implementation of Undertaking; ongoing	The Truck Operations Monitoring Framework was approved by the MECP on March 31, 2020.	Yes	
N.A.			<p><b>Condition #6 - Complaint Protocol</b></p> <p>6.1. The Proponent shall prepare and implement a complaint protocol that sets out provisions for dealing with and responding to inquiries and complaints during all stages of the Undertaking. The complaint protocol shall include a procedure for notifying the ministry of the complaints received.</p> <p>6.2. The Proponent shall submit the complaint protocol to the Director for approval and for the public record within 60 days from the Date of Approval, or by another date agreed upon by the Director.</p> <p>6.3. The Director may require the Proponent to amend the complaint protocol at any time. Should an amendment be required, the Director shall notify the proponent in writing of the amendment required and when the amendment must be completed.</p> <p>6.4. The Proponent shall submit the amended complaint protocol to the Director within the time period specified by the Director.</p> <p>6.5. The Proponent shall implement the complaint protocol and any amendments to it.</p> <p>6.6. The Proponent shall provide a summary on the complaints received and how they were addressed as part of the annual compliance reporting (Condition 5) and post the summary on the website as part of the public record.</p>	Confirm a complaint protocol has been prepared and implemented during operation of the SCRF	Pre-implementation of the Undertaking; ongoing	The Complaint Protocol was approved by the MECP on January 27, 2020.	Yes	



### 3. Impact Management Measures and Monitoring Commitments

As part of the Terrapure SCRF EA, impact management measures were identified for addressing potential adverse environmental effects associated with implementing the Undertaking. Similarly, where appropriate, monitoring programs were proposed to ensure the following:

- That the predicted net negative effects are not exceeded;
- That any unexpected negative effects are addressed; and
- That the predicted benefits are realized.

As part of fulfilling EA Commitment #s 1 and 2 (as listed in Table 2.1), Terrapure is responsible for implementing the impact management measures and monitoring programs identified as outlined in Table 6.37 (Section 6.7) of the SCRF EA Report, unless it is determined and documented that an impact management measures or monitoring programs is no longer applicable or required. As such, **Table 3.1** lists each of the impact management measures and monitoring programs that were identified in the SCRF EA Report, for future compliance tracking.

As noted in Section 1.2 the following two columns are included in **Table 3.1** for compliance monitoring reporting:

- Status/Remarks – allows for an update to be provided on where the fulfillment of the provision stands versus its planned implementation schedule.
- Compliance Achieved? (Yes or In Progress) – allows for a “yes” or “in progress” response to be provided so compliance fulfillment can be easily tracked.



**Table 3.1 Compliance Monitoring of Impact Management Measures and Monitoring Programs**

Compliance Program (as per approved Compliance Monitoring Program)				Compliance Reporting (as of September 19, 2020)	
Environmental Component/Criteria	Impact Management Measures and Monitoring Programs	Evidence of Compliance	Implementation Schedule (Estimate Timelines and Dates)	Status/Remarks	Compliance Achieved? (Yes/In Progress)
<b>Geology and Hydrogeology</b>	<p><i>Impact Management Measures</i> Maintain and expand the existing environmental controls incorporated in the landfill design including:</p> <ul style="list-style-type: none"> <li>Extend existing 3 m thick double liner system</li> <li>Extraction well M4 will be maintained and operated for the purpose of collecting potentially impacted groundwater from closed west landfill and maintain inward gradients for the Preferred Landfill Footprint</li> <li>Construction of the network of groundwater collection trenches is completed beneath the liner system as landfill cells are constructed (as per the existing design)</li> </ul>	<ul style="list-style-type: none"> <li>Confirm environmental controls were incorporated into the landfill design as specified.</li> </ul>	Construction and ongoing	<p>Appropriate environmental controls were incorporated into the SCRF conceptual design as included in the Amended ECA.</p> <p>Appropriate environmental controls will be incorporated into the final detailed design for Major Works for approval by the MECP, as per Condition 4.0 of the Amended ECA.</p>	Yes
	<p>Maintain an inward gradient across the liner system through flooding the Hydraulic Control Layer.</p>	<ul style="list-style-type: none"> <li>Confirm Hydraulic Control Layer is maintained.</li> </ul>	Construction and ongoing	<p>Appropriate hydraulic controls were incorporated into the SCRF conceptual design as included in the Amended ECA.</p> <p>Appropriate hydraulic controls will be incorporated into the final detailed design for Major Works for approval by the MECP, as per Condition 4.0 of the Amended ECA.</p>	Yes
	<p><i>Monitoring Programs</i> Continuation of long-term groundwater quality and quantity and leachate monitoring program. Long-term monitoring will include a sampling program for existing points around the site, as well as the Hydraulic Control Layer.</p>	<ul style="list-style-type: none"> <li>Continue to document groundwater monitoring program in the Annual Monitoring Report.</li> </ul>	Ongoing and post-closure	The results of the groundwater monitoring program are documented annually in the SCRF Annual Monitoring and Operations Report.	Yes
<b>Surface Water</b>	<p><i>Impact Management Measures</i> The existing stormwater management pond will be altered to provide adequate storage for quality and quantity control during construction/ operation to remove TSS and to contain the 2-year through 100-year storms. The alterations include:</p> <ul style="list-style-type: none"> <li>additional ditches along the north and west perimeter of the Site</li> <li>converting the current SWM detention pond into a second forebay</li> <li>re-grading the future detention pond to increase the depth and surface area of the pond</li> </ul>	<ul style="list-style-type: none"> <li>Confirm alterations to the existing stormwater management pond are made, as required.</li> </ul>	Construction and ongoing	Appropriate surface water impact management measures were incorporated into the conceptual design approved as part of the Amended ECA.	Yes
	<p>Stormwater from the pond will not be released to surface water body (i.e., storm sewer system that drains into Davis Creek) until testing determines all parameters have been met to discharge. Contingency measures include "status quo", which is to discharge stormwater to sanitary sewer for treatment at the City's water pollution control plant.</p>	<ul style="list-style-type: none"> <li>Confirm testing of stormwater before it is discharged to a surface water body, if applicable.</li> </ul>	Ongoing	Stormwater continues to be discharged to the sanitary sewer.	In Progress



Compliance Program (as per approved Compliance Monitoring Program)				Compliance Reporting (as of September 19, 2020)	
Environmental Component/Criteria	Impact Management Measures and Monitoring Programs	Evidence of Compliance	Implementation Schedule (Estimate Timelines and Dates)	Status/Remarks	Compliance Achieved? (Yes/In Progress)
	<p><i>Monitoring Programs</i></p> <p>Continuation of surface water monitoring program including surface water sampling and annual inspections of the SWM ponds.</p>	<ul style="list-style-type: none"> <li>Continue to document surface water monitoring program in the Annual Monitoring Report.</li> </ul>	Ongoing and post-closure	The results of the surface water monitoring program are documented annually in the SCRF Annual Monitoring and Operations Report.	Yes
<b>Terrestrial and Aquatic</b>	<p><i>Impact Management Measures</i></p> <p>Conduct any vegetation removal activities outside of the breeding bird window (i.e., no removals between late March - late August).</p> <p>Retain vegetation and compensate for vegetation loss to the extent possible (e.g., create pollinator habitat in buffer areas)</p>	<ul style="list-style-type: none"> <li>Confirm that removal of vegetation occurs out outside of the breeding bird window and document when vegetation removal activities occur.</li> <li>Confirm that vegetation loss is compensated for.</li> </ul>	Pre-implementation of Undertaking; Construction and ongoing; and post-closure	Vegetation removal occurred outside of the breeding bird windows. Vegetation was compensated for as per the Habitat Management Plan.	Yes
	<p>Incorporate graminoid meadow habitats into the closure landscape plan</p>	<ul style="list-style-type: none"> <li>Confirm landscape plan includes graminoid meadow habitats.</li> </ul>	Post-closure Planning	The post-closure planning process has not commenced.	In Progress
	<p>Implement BMPs including:</p> <ul style="list-style-type: none"> <li>Use of dust suppressants</li> <li>Installation of protective fencing (where required)</li> <li>Conduct a nest survey of on-Site facilities and infrastructure prior to relocation or removal of structures to mitigate impacts to bird species which may use anthropogenic structures for nesting. If nests are found, consult a biologist/MNRF for further direction.</li> <li>Any wildlife incidentally encountered during Site operation activities will not be knowingly harmed and will be allowed to move away from the area on its own.</li> <li>In the event that an animal encountered during Site operation activities does not move from the area, or is injured, the Site Supervisor and MNRF will be notified.</li> <li>In the event that the animal is a known or suspected SAR, the Site Supervisor will contact MNRF SAR biologists for advice.</li> <li>Include naturalized landscape features into the stormwater management facilities design (e.g. wet meadows, emergent robust vegetation, shallow slope)</li> </ul>	<ul style="list-style-type: none"> <li>Confirm Environmental Management Plan includes appropriate BMPs.</li> </ul>	Construction and ongoing	The Environmental Management Plan is in progress.	In Progress
	<p>Consult with MNRF to determine specific requirements (e.g. habitat enhancement and/or creation requirements) of the Notice of Activity process related to the presence of eastern meadowlark to avoid contravention of the provincial Endangered Species Act. Incorporate graminoid meadow habitats into the closure landscape plan.</p> <p>As part of the Notice of Activity process, a Habitat Management Plan will be created and implemented prior to the initiation of any construction. This plan which will document the areas to be affected and detail where and how new habitat will be created or enhanced.</p>	<ul style="list-style-type: none"> <li>Confirm appropriate consultation requirements associated with Notice of Activity process have been undertaken.</li> <li>Confirm the Habitat Management Plan is created and implemented prior to the initiation of any construction.</li> </ul>	Pre-implementation of Undertaking	The Habitat Management Plan was created and implemented as part of the Notice of Activity process.	Yes
	<p>Install ESC measures to mitigate impacts to water quality and to act as wildlife exclusion fencing prior to construction, and maintain them appropriately throughout landfill construction and operation.</p>	<ul style="list-style-type: none"> <li>Confirm erosion sediment control measures are implemented and maintained throughout the construction and operation of the landfill.</li> </ul>	Construction and ongoing	Wildlife exclusion fencing and ESC measures were installed around stormwater management pond.	Yes
	<p>Characterize use of on-Site aquatic features by fish and wildlife prior to modification/removal. Obtain necessary approvals for/complete fish/wildlife rescue activities prior to initiation of any in-water works, as appropriate.</p>	<ul style="list-style-type: none"> <li>Confirm the necessary approvals for the fish/wildlife rescue activities are obtained prior to initiation of any in-water works.</li> </ul>	Construction	No fish/wildlife rescue activities were undertaken during this compliance reporting period.	Yes



Compliance Program (as per approved Compliance Monitoring Program)				Compliance Reporting (as of September 19, 2020)	
Environmental Component/Criteria	Impact Management Measures and Monitoring Programs	Evidence of Compliance	Implementation Schedule (Estimate Timelines and Dates)	Status/Remarks	Compliance Achieved? (Yes/In Progress)
	<p><i>Monitoring Programs</i> Regular monitoring and regular inspections of dual purpose ESC and wildlife exclusion fencing. Vegetation monitoring program (i.e. seed mix verification, plant survivorship monitoring, invasive species management). Monitoring requirements as outlined and specified under Notice of Activity Species at Risk (SAR) permit.</p>	<ul style="list-style-type: none"> <li>Confirm regular monitoring and regular inspections of wildlife exclusion fencing occurs.</li> <li>Confirm the vegetation monitoring program is carried out as stipulated in the EMP.</li> <li>Confirm monitoring requirements as outlined and specified under the Notice of Activity Species at Risk (SAR) permit occur as required.</li> </ul>	Construction and ongoing	Monitoring activities are ongoing.	In Progress
<b>Atmospheric</b>	<p><i>Impact Management Measures</i> Implementation of dust mitigation plan for all phases of the site operations, which will include:</p> <ul style="list-style-type: none"> <li>Paving Site access roads (entry and exit) within the buffer area, including any roads which do not cross active or closed portions of the landfill</li> <li>Use of road watering on paved and unpaved roads, to minimize dust generation on-Site</li> <li>Minimizing the level of daily activity, or increasing dust mitigation activities, when operations are near the fenceline</li> <li>Continued use of the wheel-washing station near the Site exit, to reduce track-out of material from the Site onto First Road West</li> </ul>	<ul style="list-style-type: none"> <li>Confirm dust mitigation plan is implemented as specified.</li> </ul>	Construction and ongoing	Appropriate impact management measures are included in the Dust Management Plan, which is in progress.	In Progress.
	Limit on-site vehicles to no more than 30 km/hr	<ul style="list-style-type: none"> <li>Confirm that Site's current posted speed limit of 15 km/hr is maintained.</li> </ul>	Construction and ongoing		
	Progressive capping and re-vegetation to eliminate windblown dust	<ul style="list-style-type: none"> <li>Confirm capping and re-vegetation of the Site occurs, as appropriate.</li> </ul>	Ongoing		
	Logging of complaints and investigation into contribution(s) of the Site to local air quality (including odour) issues.	<ul style="list-style-type: none"> <li>Confirm complaint protocol is developed.</li> </ul>	Ongoing		
	<p><i>Monitoring Programs</i> Continuation of monitoring station specifically to monitor for airborne PM<sub>10</sub> and local meteorological conditions (for investigating the likely source(s) of air quality and odour complaints). This station will continue to operate through the lifetime of the Facility. A semi-annual noise monitoring will be undertaken through the lifetime of the Facility.</p>	<ul style="list-style-type: none"> <li>Confirm air quality monitoring is carried out as per the EMP and is documented in the Annual Monitoring Report.</li> <li>Confirm semi-annual noise monitoring is carried out as per the EMP and is documented in the Annual Monitoring Report.</li> </ul>	Ongoing	The results of the air quality and noise monitoring programs are documented annually in the SCRF Annual Monitoring and Operations Report.	Yes
<b>Land Use</b>	<p><i>Impact Management Measures</i> Impact management measures for existing land uses are applicable to potential nuisance related effects due to on-site construction/operation:</p> <ul style="list-style-type: none"> <li>Maintain buffers for nuisance reduction</li> <li>Basic landfill operations for nuisance mitigation</li> <li>In effect BMPs for nuisance mitigation</li> </ul>	<ul style="list-style-type: none"> <li>Confirm impact management measures related to existing land uses, viewsheds and nuisance reduction are implemented and are successful through reviewing all complaints received and taking into consideration feedback received at CLC meetings.</li> <li>Continue to document confirmatory monitoring programs in the Annual Monitoring Report.</li> </ul>	Ongoing	Appropriate land use impact management measures were incorporated into the SCRF conceptual design as included in the Amended ECA.	Yes
	<p>Maintaining the existing screening berms and fencing will assist with visual screening from residential areas, but will not be able to mitigate views completely. Additional screening guards and, where possible, native vegetation can be implemented to mitigate views for sensitive receptors and may include traditional berms, vegetation,</p>	<ul style="list-style-type: none"> <li>Confirm that screening guards are implemented, where appropriate.</li> </ul>	Ongoing	Visual screening was not required to be implemented during this compliance reporting period. Where appropriate, visual screening will be incorporated into detailed design for approval	In Progress



Compliance Program (as per approved Compliance Monitoring Program)				Compliance Reporting (as of September 19, 2020)	
Environmental Component/Criteria	Impact Management Measures and Monitoring Programs	Evidence of Compliance	Implementation Schedule (Estimate Timelines and Dates)	Status/Remarks	Compliance Achieved? (Yes/In Progress)
	<p>fencing with privacy screen or vegetation, mechanically stabilized earth berms, and/or freestanding green walls.</p> <p>Progressive capping of the landfill will assist in revegetating areas of the Site to create a natural look.</p>			by the MECP, as per Condition 4.0 of the Amended ECA.	
	<p><b>Monitoring Programs</b></p> <p>The current environmental monitoring programs identified for groundwater, leachate, surface water, air and noise as well as existing and proposed BMPs will continue over the life of the Site. Existing methods and protocols may need to be amended periodically to accurately reflect Site conditions. Confirmatory monitoring programs will continue to be documented in the Annual Monitoring Report.</p> <p>Visual mitigation measures including vegetation and fencing will be maintained and monitored in accordance to the site's operating plan.</p>	<ul style="list-style-type: none"> <li>Confirm that monitoring is carried out as per the EMP and is documented in the Annual Monitoring Report.</li> </ul>	Ongoing	The results of the monitoring programs are documented annually in the SCRF Annual Monitoring and Operations Report.	Yes
<b>Human Health</b>	<p><b>Impact Management Measures</b></p> <p>Implementation of dust mitigation plan and ongoing monitoring/assessment</p> <p>Implementation of design/operations relative to leachate management, groundwater quality, surface water quality and air quality will mitigate human health effects accordingly.</p>	<ul style="list-style-type: none"> <li>Confirm dust mitigation plan is implemented as specified and that ongoing monitoring/assessment continues as per the EMP.</li> </ul>	Pre-implementation of Undertaking and ongoing	Appropriate impact management measures are included in the Dust Management Plan, which is in progress.	In Progress.
	<p><b>Monitoring Programs</b></p> <p>Continued operation of the existing air quality monitoring station specifically to monitor airborne PM<sub>10</sub> concentrations is required to demonstrate ongoing efficacy of particulate impact management measures on the Site.</p>	<ul style="list-style-type: none"> <li>Confirm the air monitoring program continues as specified in the EMP and is documented in the Annual Monitoring Report.</li> </ul>	Ongoing	The results of the air quality monitoring programs are documented annually in the SCRF Annual Monitoring and Operations Report.	Yes
<b>Economic</b>	<p><b>Impact Management Measures</b></p> <p>Impact management measures for approved/planned land uses within the Local Study Area are only applicable to potential nuisance related effects due to on-Site construction and operations:</p> <ul style="list-style-type: none"> <li>Encourage Surrounding Land Use Development</li> <li>Encourage buffers for nuisance reduction</li> <li>Encourage minimum setback distances for residential development</li> <li>Basic landfill operations for nuisance mitigation</li> <li>BMPs for nuisance mitigation.</li> </ul>	<ul style="list-style-type: none"> <li>Confirm best management practice have been specified in the EMP.</li> </ul>	Pre-implementation of the Undertaking	Appropriate impact management measures were incorporated into the SCRF conceptual design as included in the Amended ECA.	Yes
<b>Archaeology and Built Heritage</b>	<p><b>Impact Management Measures</b></p> <p>During construction, should previously undocumented archaeological or indigenous resources be discovered, alterations at the Site will cease immediately and Terrapure will engage a licensed consultant archaeologist to carry out archaeological fieldwork, in compliance with Sec. 48 (1) of the Ontario Heritage Act. In accordance with the Funeral, Burial and Cremation Service Act, 2002 should Terrapure discover human remains, the police or coroner and the Registrar of Cemeteries, Ministry of Small Business and Consumer Services will be notified immediately.</p>	<ul style="list-style-type: none"> <li>Confirm that if archaeological or indigenous resources are discovered that all construction activities cease and a licensed consultant archaeologist is retained.</li> </ul>	Construction	No archaeological or indigenous resources were discovered during construction activities during this compliance reporting period.	In Progress





Compliance Program (as per approved Compliance Monitoring Program)				Compliance Reporting (as of September 19, 2020)	
Environmental Component/Criteria	Impact Management Measures and Monitoring Programs	Evidence of Compliance	Implementation Schedule (Estimate Timelines and Dates)	Status/Remarks	Compliance Achieved? (Yes/In Progress)
<b>Design and Operations</b>	<p><i>Impact Management Measures</i></p> <p><i>Design of new base liner system will integrate seamlessly with existing base liner system and use one leachate pumping station.</i></p> <p><i>Establish new connection to sanitary sewer.</i></p> <p><i>Maintain uniform shape and contours of the residual material area.</i></p> <p><i>Design of new stormwater management system will integrate seamlessly with existing stormwater management system by maintaining the current approved location and general layout of the stormwater pond.</i></p> <p><i>Extension of perimeter drainage ditches to accommodate new residual material area.</i></p> <p><i>Maintain existing stormwater outlet to storm sewer.</i></p> <p><i>Design of new groundwater management system will integrate seamlessly with existing groundwater management system. Extend groundwater collection trenches to accommodate new residual material area. Maintain existing location of groundwater outlet.</i></p> <p><i>Establish new connection to sanitary sewer.</i></p> <p><i>Continue acceptance of waste types that do not decompose and generate significant quantities of gas.</i></p> <p><i>Maintain MECP exemption from the requirement to have a gas collection system.</i></p> <p><i>Design of new base liner system to integrate seamlessly with existing base liner system.</i></p> <p><i>Maintain design and function of existing systems (leachate, stormwater, groundwater, gas) and infrastructure (access, roads, weigh scale, wheel wash).</i></p> <p><i>Design of new final cover system to integrate seamlessly with existing final cover system.</i></p> <p><i>Maintain open and uniform configuration that will simplify Site closure requirements and allow for flexibility of potential end uses.</i></p>	<ul style="list-style-type: none"> <li><i>Ensure the elements are incorporated into the design of the Site as specified.</i></li> </ul>	<i>Pre-implementation of Undertaking</i>	Appropriate design and operations impact management measures were incorporated into the SCRF conceptual design as included in the Amended ECA and will be incorporated into the final detailed design for Major Works for approval by the MECP, as per Condition 4.0 of the Amended ECA.	Yes
	<p><i>Monitoring Programs</i></p> <p><i>The current environmental monitoring programs identified for groundwater, leachate, surface water, air, noise, terrestrial and aquatic, as well as existing and proposed BMPs will continue over the life of the Site. Existing methods and protocols may need to be amended periodically to accurately reflect Site conditions. Confirmatory monitoring programs will continue to be documented in the Annual Monitoring Report.</i></p>	<ul style="list-style-type: none"> <li><i>Confirm environmental monitoring programs, as specified in the EMP are implemented and documented as required.</i></li> <li><i>Continue to document confirmatory monitoring programs in the Annual Monitoring Report.</i></li> </ul>	<i>Ongoing and post-closure</i>	The results of the monitoring programs are documented annually in the SCRF Annual Monitoring and Operations Report.	Yes



## 4. Additional Environmental Approvals and Permits

In addition to requiring *EA Act* approval, municipal and provincial approvals and permits are required in order to implement the Undertaking. These approvals and permits were identified in Section 9 of the Terrapure SCRF EA Report. **Table 4.1** lists each of the approvals and permits for compliance tracking.

As noted in Section 1.2 the following two columns are included in **Table 4.1** that will be completed as part of future compliance monitoring reporting:

- Status/Remarks – allows for an update to be provided on where the fulfillment of the provision stands versus its planned implementation schedule.
- Compliance Achieved? (Yes or In Progress) – allows for a “yes” or “in progress” response to be provided so compliance fulfillment can be easily tracked.



**Table 4.1 Approvals and Permits Compliance Monitoring**

Compliance Program (as per approved Compliance Monitoring Program)			Compliance Reporting (as of September 19, 2020)	
Applicable Approval/Permit	Evidence of Compliance	Implementation Schedule (Estimate Timelines and Dates)	Status/Remarks	Compliance Achieved? (Yes/In Progress)
<b>City of Hamilton</b>				
<i>Zoning By-law Amendment from ME-1 (Extractive Industrial) to Open Space/Parkland During Post-closure.</i>	<ul style="list-style-type: none"> <li>Confirm Zoning By-law Amendment is obtained.</li> </ul>	Post-closure	The post-closure planning process has not commenced.	In Progress
<i>Amendments to the existing sewer use agreement would be needed if any modifications are proposed to the leachate discharged from the SCRF.</i>	<ul style="list-style-type: none"> <li>If required, confirm amendments to the existing sewer use agreement with the City has been approved.</li> </ul>	Pre-implementation of Undertaking	No changes are proposed to the existing sewer use agreement.	Yes
<b>Hamilton Conservation Authority</b>				
<i>Possible approvals may be required related to the alterations to the drainage within the Hamilton Conservation Authority Regulated Area related to the proposed stormwater management ponds.</i>	<ul style="list-style-type: none"> <li>Confirm that appropriate Hamilton Conservation Authority approvals have been obtained.</li> </ul>	Pre-implementation of Undertaking	No changes to the stormwater management ponds were proposed during this reporting period. Once changes are planned, appropriate approvals from the Hamilton Conservation Authority will be obtained.	In Progress
<b>Ministry of the Environment, Conservation and Parks</b>				
<i>Environmental Compliance Approval Amendment.</i>	<ul style="list-style-type: none"> <li>Confirm ECA amendment has been approved by MECP.</li> </ul>	Pre-implementation of Undertaking; ongoing	The Amended ECA was issued by the MECP on October 31, 2019	Yes
<i>If required re-apply for an exemption to the requirement to have a landfill gas collection system under O.Reg. 232/98</i>	<ul style="list-style-type: none"> <li>If required, confirm exemption is obtained.</li> </ul>	Pre-implementation of Undertaking	An exemption was not required during this compliance reporting period.	In Progress
<i>Amendment to existing ECA 5400-7DSSHU for Industrial Sewage Works should changes be required to the approved on-Site stormwater management system.</i>	<ul style="list-style-type: none"> <li>If required, confirm amendment has been approved by MECP.</li> </ul>	Pre-implementation of Undertaking; ongoing	No changes to the stormwater management ponds were proposed during this reporting period. Once changes are planned, appropriate approvals will be obtained.	In Progress
<b>Ministry of Natural Resources and Forestry</b>				
<i>Notice of Activity process will be followed in compliance with the Endangered Species Act if required to acknowledge the presence of eastern meadowlark habitat within the Site Study Area</i>	<ul style="list-style-type: none"> <li>Confirm Notice of Activity process is followed, if required.</li> </ul>	Pre-implementation of Undertaking; ongoing	The works were registered with the Ministry of Natural Resources and Forestry as part of the Notice of Activity process.	Yes
<i>Necessary approvals for fish/wildlife rescue activities (e.g., MNR License to Collect Fish for Scientific Purposes) will be obtained prior to initiation of any in-water works at the SCRF, as appropriate</i>	<ul style="list-style-type: none"> <li>Confirm approvals for fish/wildlife rescue activities are obtained, if required.</li> </ul>	Pre-implementation of Undertaking	No fish/wildlife rescue activities were required during this compliance reporting period.	In Progress