

AMENDMENT TO ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 7306-8FDKNX

Notice No. 1

Issue Date: August 12, 2014

The Regional Municipality of Durham
605 Rossland Rd E 5th Floor
Whitby, Ontario
L1N 6A3

and

The Regional Municipality of York
17250 Yonge Street
Newmarket, Ontario
L3Y 6Z1

and

Covanta Durham York Renewable Energy Limited Partnership
445 South Street
Morristown, New Jersey
United States of America
07960

Site Location: Durham York Energy Centre
72 Osbourne Rd Lot 27, Concession Broken Front, Part 1
Clarington Municipality, Regional Municipality of Durham
L1E 2R2

You are hereby notified that I have amended Approval No. 7306-8FDKNX issued on June 28, 2011 for Waste Disposal Site (Incineration), complete with an Energy from Waste Facility and associated equipment, , as follows:

1. The following definition has been added:

“Contingency and Emergency Response Plan” also means the document entitled “Spill Contingency and Emergency Response Plan”;

2. The following Conditions are amended to read as follows:

- 2.(5)(b)(iii) The Owner may use equipment used to handle the hazardous wastes to handle other wastes provided that prior to such use the equipment has been thoroughly cleaned first.
- 4.(5)(e) A maximum of 630 tonnes of the Residual Waste, limited to the bottom ash shall be stored in two (2) dedicated bunkers, located within the confines of the Residue Building, described in the Supporting Documentation. The storage duration is as follows:
- (i) The storage duration is limited to a maximum of seven (7) days.
 - (ii) Should longer storage duration be required to accommodate the duration of the required compliance testing, a minimum of forty eight (48) hours before the storage extension is commenced, the Owner shall notify the District Manager of the required extension. The notification shall include the duration of the extension and the reasons.

3. The following Conditions are added:

- 7.(7) (e) The Owner shall carry out the required bottom and fly ash compliance testing in accordance with the document entitled "Ash Sampling and Testing Protocol", listed in the attached Schedule.
- 11.8 Containment evaluations performed under the Spill Contingency and Emergency Response Plan shall be conducted by the Owner in accordance to procedures agreed by the District Manager pursuant to Conditions 8.(7)(i),(ii) and (iii).

4. The following documents have been added to Schedule "A":

- 4. October 31, 2013 letter from Mirka Januszkiewicz, the Regional Municipality of Durham to Ian Parrott, Ministry of the Environment and Climate Change, requesting approval of the Ash Sampling and Testing Protocol and the document entitled "Durham York Energy Centre, Ash Sampling and Testing Protocol", prepared by Golder Associates and dated June 2014.
- 5. Document entitled "Durham York Energy Centre, Spill Contingency & Emergency Response Plan" prepared by Covanta Durham York Renewable Energy Limited Partnership and dated January 13, 2014, excluding section entitled "Containment Evaluation".
- 6. Document entitled "Durham York Energy Centre, Protocol for the Measurement of Combustion Temperature and the Development of Time and Temperature Correlations", prepared by Covanta Durham York Renewable Energy Limited Partnership and dated June 2014.
- 7. Document entitled "Durham York Energy Centre, Noise Monitoring and Reporting Plan", prepared by Golder Associates and dated September 2011.

The reasons for this amendment to the Approval are as follows:

to approve the "Ash Sampling and Testing Protocol" as required Condition 7.(7)(a), the "Durham York Energy Centre, Spill Contingency & Emergency Response Plan", as required Condition 11.(3), "Durham York Energy Centre, Noise Monitoring and Reporting Plan" as required Condition 7.(5)(a) and "Durham York Energy Centre, Protocol for the Measurement of Combustion Temperature and the Development of Time and Temperature Correlations" as proposed by the applicant.

This Notice shall constitute part of the approval issued under Approval No. 7306-8FDKNX dated June 28, 2011, as amended.

In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me and the Environmental Review Tribunal within 15 days after receipt of this Notice, require a hearing by the Tribunal. Section 142 of the Environmental Protection Act provides that the Notice requiring the hearing shall state:

1. The portions of the environmental compliance approval or each term or condition in the environmental compliance 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.

Pursuant to subsection 139(3) of the Environmental Protection Act, a hearing may not be required with respect to any terms and conditions in this environmental compliance approval, if the terms and conditions are substantially the same as those contained in an approval that is amended or revoked by this environmental compliance approval.

The Notice should also include:

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

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

This Notice must be served upon:

The Secretary*
Environmental Review Tribunal
655 Bay Street, Suite 1500
Toronto, Ontario
M5G 1E5

AND

The Director appointed for the purposes of
Part II.1 of the 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) 212-6349, Fax: (416) 314-3717 or www.ert.gov.on.ca**

The above noted activity is approved under s.20.3 of Part II.1 of the Environmental Protection Act.

DATED AT TORONTO this 12th day of August, 2014



Ian Parrott, P.Eng.
Director
appointed for the purposes of Part II.1 of the
Environmental Protection Act

MW/

c: District Manager, MOE York-Durham
n/a, The Regional Municipality of Durham