



Ontario

Ministry of
Environment and
Energy

Ministère de
l'Environnement et de
l'Énergie

PROVISIONAL CERTIFICATE OF APPROVAL
WASTE DISPOSAL SITE
NUMBER 4104-59YH8M

City of Toronto (Site Operator)
Solid Waste Management Services
Metro Hall, 55 John Street, 19th Floor
Toronto, Ontario
M5V 3C6

AND

Toronto and Region Conservation Authority (Site Owner)
5 Shoreham Drive
Downsview, Ontario
M3N 1S4

Site Location: King's Mill Park
West Side of Humber River, South of Bloor Street West, North & East of Riverwood Parkway
(former City of Etobicoke)
City of Toronto
(further described in Item 3 in Schedule "A")

You have applied in accordance with Section 27 of the Environmental Protection Act for approval of:

Site alterations for the purpose of remediation, including regrading, replacement of final cover, and installation and operation of leachate control works (interceptor pipes, forcemains, pump stations) at the closed Upper and Lower Riverwood Landfills within King's Mill Park in the City of Toronto.

The Site was used from 1959 to 1964 for the landfilling of municipal waste to a maximum capacity of approximately 1.5 million cubic metres within an approximate 13 hectare total waste fill area, including the following types of waste identified in post-closure site borehole investigations:

bricks, concrete, construction waste, organics, plastics, wires, glass and wood.

Note: Use of the site for any other type of waste is not approved under this Certificate, and requires obtaining a separate approval amending this Certificate.

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

DEFINITIONS

- a. "Certificate" means this Provisional Certificate of Approval including all terms, conditions and Schedules attached to and forming part of this Certificate.
- b. "City" means the City of Toronto, as the operating authority for the Upper and Lower Riverwood Landfills in King's Mill Park.
- c. "Director" means one or more persons who from time to time are so designated for the purposes of Section 39 of the *Environmental Protection Act*.
- d. "District Manager" means District Manager, Toronto District Office, Ontario Ministry of the Environment.

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- e. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c. E.19, as amended.
- f. "LR" means Lower Riverwood.
- g. "MOE" or "Ministry" means the Ontario Ministry of the Environment.
- h. "natural environment" means the air, land and water, or any combination or part thereof, of the Province of Ontario, as defined in the EPA.
- i. "PWQOs" means Provincial Water Quality Objectives in "Water Management - Policies, Guidelines, Provincial Water Quality Objectives of the Ministry of Environment and Energy", July 1994, as amended.
- j. "Reg. 347" means Ontario Regulation 347 of Revised Regulations of Ontario, 1990 (General - Waste Management), made under the EPA, as amended.
- k. "Site" means the portions of King's Mill Park, in the City of Toronto, within which the closed Upper and Lower Riverwood Landfills are located, and including buffer lands for monitoring and control of landfill gas and leachate.
- l. "TRCA" means Toronto and Region Conservation Authority, as the owner of King's Mill Park in the City of Toronto.
- m. "waste fill area" means the area on the surface of the landfill site beneath which or above which waste was disposed of by landfilling.
- n. "UR" means Upper Riverwood.

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

TERMS AND CONDITIONS

1. Except as otherwise provided by these conditions, the site alterations and post-closure care of the Site shall be carried out in accordance with the Application for a Certificate of Approval for a Waste Disposal Site, dated March 7, 2002, and supporting documentation, plans and specifications listed in Schedule "A". Where there is a conflict between a provision of any document referred to in Schedule "A" and the conditions in this Certificate, the conditions in this Certificate shall take precedence. Where there is a conflict between documents listed in Schedule "A", the document bearing the most recent date shall prevail.
2. The requirements specified in this Certificate are the requirements under the EPA. The issuance of this Certificate in no way abrogates the Owner's and Operator's legal obligations to take all reasonable steps to avoid violating other applicable provisions of this legislation and other applicable legislation and regulations, including the *Ontario Water Resources Act*, the *Occupational Health and Safety Act*, and Ontario Regulation 158.
3. Pursuant to Section 197 of the EPA, neither the City, TRCA, nor any person having an interest in the Site shall deal with the Site in any way without first giving a copy of this Certificate to each person acquiring an interest in the Site as a result of the dealing. The City, on behalf of TRCA, shall:
 - a. Within sixty (60) calendar days of the date of this Certificate, submit to the Director for the Director's signature two (2) copies of a completed Certificate of Prohibition containing a registerable description of the Site in accordance with Form 1 of O. Reg. 14/92 (Document General - Form 4 - *Land Registration Reform Act*); and
 - b. Within ten (10) calendar days of receiving the Certificate of Prohibition signed by the Director, register the Certificate of Prohibition in the appropriate Land Registry Office on title to the Site and submit to the Director immediately following registration the duplicate registered copy.
4. The City shall ensure that construction activities shall be carried out at the Site to minimize potential damage or removal of existing trees.
5. The City shall ensure that potential odours during waste excavation and relocation shall be controlled using a portable

sprayer, a deodorizing solution, or other practical means to minimize the potential for an adverse effect.

6. The City shall ensure that erosion and sediment control measures shall be employed and function properly during construction. Installation of the erosion and sediment control measures shall be completed prior to commencement of construction. The measures shall be inspected regularly and maintained during construction and decommissioned once the Site has been stabilized. Any problems that are found during inspections shall be rectified as soon as practicable. Accumulation of sediment in traps and along silt fences shall be cleared as required.

7. The City shall ensure that low permeability final cover material is placed over regraded areas within the waste fill area to minimize infiltration and further leachate generation. Low lying areas within the waste fill area shall be regraded to ensure positive drainage of surface water.

8. Within 2 months following completion of the site alterations approved in this Certificate, the City shall provide as-recorded drawings to the Director and District Manager.

9. By **July 26, 2002**, the City shall submit to the Director and District Manager a report(s) which describes the following items:

- a. A water monitoring program for the Site with details on regular sampling and analysis of surface water and collected leachate/groundwater for comparison with PWQOs and applicable sanitary sewer discharge criteria.
- b. A landfill gas monitoring program for the Site with details on regular sampling events and more frequent sampling during frozen ground conditions.
- c. An assessment of the need for control works, detection equipment and warning devices for the sub-surface migration of landfill gas, to address elevated readings of methane gas concentrations.
- d. A program for the regular inspection and cleaning of the leachate collection system.
- e. A program for the regular inspection, maintenance and repair of the final cover.

10. The City shall prepare an **Annual Report** on the post-closure monitoring, maintenance and inspection of the Site by **March 1** of each year, covering the preceding calendar year. The report shall be retained by the City and made available forthwith for inspection upon request by Ministry staff, including the Director, the District Manager, or Provincial Officer (as defined in the EPA). The report shall include the following:

- a. The results and an interpretive analysis of the results of all leachate, groundwater, surface water, and landfill gas monitoring, including an assessment of the need to amend the monitoring programs and to implement further remedial measures.
- b. An assessment of the operation, maintenance and performance of, and any corrective action taken, concerning the final cover over the waste fill area.
- c. An assessment of the operation and performance of all engineered facilities and the adequacy of and need to implement the further remedial measures.
- d. A summary of the quantities of groundwater/leachate discharged from the Site during each month.
- e. A summary of any public complaints received by the City and the responses made by the City.
- f. A discussion of any operational problems encountered at the Site and corrective action taken by the City.
- g. An assessment of the need to amend the frequency and period covered by the post-closure care report.
- h. The status of compliance with all conditions of this Certificate, including the inspection, monitoring and reporting requirements in the conditions of this Certificate.

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i. Any other information with respect to the Site which the District Manager may require from time to time.

11. Where the results of inspections or monitoring at the Site indicate the potential for an adverse effect on the natural environment or public health and safety, the City shall immediately notify the District Manager and shall submit a copy of any report with the results to the District Manager.

SCHEDULE "A"

This Schedule "A" forms part of this Certificate.

1. Application for a Provisional Certificate of Approval for a Waste Disposal Site, signed by Steve Whitter, City of Toronto, dated March 7, 2002 (MOE Ref. No. 4157-58FN92).

2. Letter dated March 13, 2002, from Steve Whitter, City of Toronto, to David Staseff, Ministry of the Environment, Re: Application for a Provisional Certificate of Approval for a Waste Disposal Site, King's Mill Park, Toronto, File No. 1152.14., including supporting information in Appendix A attached to the letter:

a. Description of Proposed Works, dated March 12, 2002.

b. Public Notice - Construction Work in King's Mill Park, dated March 12, 2002.

c. Borehole Logs - Upper & Lower Riverwood, dated February 6, 7, & 18, 2002.

d. Surface Water Analyses - Upper Riverwood, dated September 14, 2001, Lower Riverwood, dated October 25, 2001.

e. Subsurface Methane Monitoring Results - Upper & Lower Riverwood - monthly in 2001.

f. Letter dated February 7, 2002, from Steve Whitter, City of Toronto, to Nora Jamieson, Toronto & Region Conservation Authority, Re: Emergency Request to Import Clean Fill for Regrading of King's Mill Park.

g. Letter dated February 18, 2002, from Nora Jamieson, Toronto & Region Conservation Authority, to Steve Whitter, City of Toronto, Re: Emergency Request to Import Fill for Regrading of King's Mill Park, City of Toronto (Etobicoke Community Council).

h. Agreement dated June 14, 1961, between The Metropolitan Toronto and Region Conservation Authority and The Municipality of Metropolitan Toronto.

3. Letter dated May 2, 2002, from R. G. Mountjoy, City of Toronto, to David Staseff, Ministry of the Environment, Re: Application, Kingsmill Park - including Legal Descriptions of the subject lands in two Schedule A's.

4. Letter dated May 2, 2002, from Steve Whitter, City of Toronto, to Dave Staseff, Ministry of the Environment, Re: Application for a Provisional Certificate of Approval for a Waste Disposal Site, King's Mill Park, Toronto, File No. 1152.14., including:

a. Memorandum dated February 4, 2002, from Bob Pickett, Water and Wastewater Services, City of Toronto, to Steve Whitter, Solid Waste Management Services, City of Toronto, Re: Discharge of Landfill Site Leachate to the City Sewer System (approval to discharge LR and UR leachate into the City's sanitary sewer system).

b. Borehole Logs - Upper & Lower Riverwood, dated February 6, 7, & 18, 2002 (revised - metric units).

c. Surface Water Analyses - Upper Riverwood, dated September 14, 2001, Lower Riverwood, dated October 25, 2001 (revised - PWQOs added to table).

d. Drawing No. S1 - King's Mill Park, Upper Riverwood Landfill Site, Leachate Interceptor and Forcemain, Plan and Profile, City of Toronto, Solid Waste Management Division, dated April 2002.

e. Drawing No. S2 - King's Mill Park, Lower Riverwood Landfill Site, Leachate Interceptor and Forcemain, Plan and Profile, City of Toronto, Solid Waste Management Division, dated April 2002.

f. Drawing No. D1 - King's Mill Park, Upper/Lower Riverwood Landfill Site, Typical Details, City of Toronto, Solid Waste Management Division, dated April 2002. In the Leachate Collection Pipe Detail, holes at the bottom of the pipe shall be avoided to ensure that groundwater/leachate that enters the pipe can readily flow within the pipe.

REASONS

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

1. The reason for Condition 1 is to ensure that the Site is altered in accordance with the application and supporting documentation submitted by the City, and not in a manner which the Director has not been asked to consider.
2. The reason for Condition 2 is to clarify the legal rights and responsibilities of the Owner and Operator.
3. Condition 3 is included, pursuant to subsection 197(1) of the EPA, to provide that any person(s) having an interest in the Site is aware that the land has been used for the purposes of waste disposal.
4. The reasons for Conditions 4, 5 and 6 are conservation and protection of the natural environment and public health and safety.
5. The reason for Condition 7 is to minimize infiltration, further leachate generation and the potential for groundwater and surface water contamination.
6. The reason for Condition 8 is record keeping of as-constructed site alterations for information purposes.
7. The reason for Condition 9 is to ensure that a post-closure care report is prepared and submitted for review and to ensure that the Site is inspected, monitored and maintained during the post-closure period in an environmentally acceptable manner. Regular monitoring and inspection allows for the analysis of trends over time and ensures that there is an early warning of potential problems so that any necessary remedial/contingency action can be taken.
8. The reasons for Condition 10 are that an annual post-closure report is an important tool used in reviewing post-closure monitoring and maintenance activities, and for helping to ensure that the closed site performs in an environmentally acceptable manner. Post-closure care will be required for as long as contaminants from the site pose a potential concern to the natural environment.
9. The reason for Condition 11 is to ensure that the Ministry is promptly notified of any results of inspections or monitoring at the Site that indicate the potential for an adverse effect (e.g., exceedance of PWQOs, elevated methane gas concentrations) so that appropriate action can be taken in a timely manner under this Certificate, the EPA or its regulations.

In accordance with Section 139 of the Environmental Protection Act, R.S.O. 1990, Chapter E-19, as amended, you may by written notice served upon me 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 approval or each term or condition in the approval in respect of which the hearing is required, and;
2. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The Notice should also include:

3. The name of the appellant;
4. The address of the appellant;
5. The Certificate of Approval number;
6. The date of the Certificate of Approval;
7. The name of the Director;
8. The municipality within which the works are located;

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

This Notice must be served upon:

The Secretary*
Environmental Review Tribunal
2300 Yonge St., 12th Floor
P.O. Box 2382
Toronto, Ontario
M4P 1E4

AND

The Director
Section 39, *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**

The above noted waste disposal site is approved under Section 39 of the Environmental Protection Act.

DATED AT TORONTO this 27th day of May, 2002

Ian Parrott, P.Eng.
Director
Section 39, *Environmental Protection Act*

DS/

c: District Manager, MOEE Toronto - District
Steve Whitter / Lou Ciardullo, City of Toronto - Solid Waste Management Services
Nora Jamieson, Toronto and Region Conservation Authority (TRCA)