

Cited as:  
**Industrial Disposal (Oshawa) Co. v. Ontario (Ministry  
of  
Environment)**

IN THE MATTER OF sections 77, 78 and 80 of The Environmental  
Protection Act, 1971, as amended  
AND IN THE MATTER OF a Ministry of the Environment Provisional  
Certificate of Approval for a Waste Disposal Site located on  
Part of Lot 3, Concession 3, City of Oshawa (former Township  
of East Whitby), being Provisional Certificate No. 390102,  
dated the 15th day of August, 1975 and issued to Industrial  
Disposal (Oshawa) Company, P.O. Box 70, Hamilton, Ontario  
AND IN THE MATTER OF an appeal dated the 8th day of September,  
1975, by Industrial Disposal (Oshawa) Company from the  
conditions imposed by issuing the said Provisional Certificate  
AND IN THE MATTER OF a hearing held by the Environmental  
Appeal Board on March 3, 1976, May 5, 1976 and June 9, 1976

[1976] O.E.A.B. No. 10

**Ontario Environmental Appeal Board**  
**I.W. Pasternak, Q.C., Chairman**  
**L.C. DeGroot and G.W. Ozburn, Members**

Heard: March 3, May 5 and June 9, 1976  
Decision: July 5, 1976  
(2 pp.)

No counsel mentioned.

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**ORDER**

Upon motion made to this Board by the appellant for an adjournment of the hearing regarding this appeal, and with the consent of the parties present, this Board hereby orders that the hearing is adjourned until the 7th day of October, 1976 at 10:00 o'clock in the morning (local time) in the Canadian Legion Hall, V.I.P. Room, 471 Simcoe Street S., Oshawa, Ontario.

In granting this adjournment, the Board imposed the following conditions upon the appellant:

1. The appellant is to reconnect the pipeline to recirculate leachate to the bermed area on top of the site so as to prevent any leachate overflow. This action to be completed by June 18, 1976.
2. The appellant is to cover the present disposal area to the south including the slopes with two feet of compacted earth. This action to be completed by June 30, 1976.
3. The appellant is to move the disposal area to the top of the site and restrict same to a minimal area. The area is to be prepared and flattened beforehand. Disposal to be commenced by June 18, 1976.
4. The appellant is to cover the new disposal area on Mondays, Wednesdays and Fridays by 5:00 p.m. This action to commence by June 18, 1976.
5. The appellant is to unblock the drainage ditch on the west side of the site by June 30, 1976 and keep the ditch clear.
6. The appellant is to grade the slopes to the west and east and cover them with two feet of compacted earth. This action to be completed by August 31, 1976.
7. The appellant is to provide the Ministry of the Environment and the City of Oshawa with a copy of the hydrogeological study of the site by September 7, 1976.
8. Upon notice to this Board by the Ministry of the Environment that the above conditions have not been met, the hearing shall be resumed at the earliest opportunity.