



**AMENDMENT TO PROVISIONAL CERTIFICATE OF APPROVAL
WASTE MANAGEMENT SYSTEM**

NUMBER A841566

Notice No. 1

Issue Date: October 5, 2009

Rechargeable Battery Recycling Corporation of Canada
16 Northumberland Street
Toronto, Ontario
M6H 1P7

You are hereby notified that I have amended Provisional Certificate of Approval No. A841566 issued on October 7, 2004 for a waste management system serving the Province of Ontario, as follows:

The definition of "Batteries" is hereby changed

From:

"Batteries" means, and is strictly limited to, one of the following types of used rechargeable batteries: Nickel-Cadmium, Lithium Ion, Nickel Metal Hydride and small sealed lead acid batteries, excluding automotive, marine and other "spillable" lead acid batteries

To:

"Batteries" means, and is strictly limited to, one of the following types of used batteries: Nickel-cadmium rechargeable batteries, Lithium Ion rechargeable batteries, Lithium polymer rechargeable batteries, Nickel metal hydride rechargeable batteries, nickel zinc rechargeable batteries, small sealed lead acid rechargeable batteries, alkaline rechargeable batteries, alkaline-manganese primary batteries, zinc-carbon primary batteries, zinc-air primary batteries, lithium primary batteries and various consumer button cell batteries such as those used in hearing aids, watches and cameras (e.g. zinc air primary batteries and silver oxide primary batteries). The maximum weight of any individual battery shall not be more than five (5) kg. The term "Batteries" expressly excludes any wet, spillable, automotive or marine batteries.

All in accordance with the Application for Approval of a Waste Management System submitted August 14, 2009.

This Notice shall constitute part of the approval issued under Provisional Certificate of Approval No. A841566 dated October 7, 2004.

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, 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;

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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 Review Tribunal
655 Bay Street, 15th Floor
Toronto, Ontario
M5G 1E5

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 management system is approved under Section 39 of the Environmental Protection Act, and is subject to the Regulations made thereunder.

DATED AT TORONTO this 5th day of October, 2009

Zafar Bhatti, P.Eng.
Director
Section 39, *Environmental Protection Act*

CS/
c: District Manager, MOE Toronto District Office
Frank Zechner, Frank J. E. Zechner Professional Corporation