

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 6216-BRLJVA
Issue Date: September 8, 2020

10647802 Canada Limited
118 Avenue SE, No. 4208
Rockyview County, Alberta
T2Z 4A4

Site Location: Anywhere in Ontario

You have applied under section 20.2 of Part II.1 of the Environmental Protection Act, R.S.O. 1990, c. E. 19 (Environmental Protection Act) for approval of:

up to ten (10) mobile sewage holding tanks for the collection of sewage (i.e. domestic sewage, process wastewater) with disposal of the content at a Ministry approved sewage disposal facility, with each of the mobile sewage holding tanks having a capacity of up to 60,000 litres, consisting of the following;

- ten (10) sewage holding tanks complete with audible and visual alarm system.

all other controls, electrical equipment, instrumentation, piping, pumps, valves and appurtenances essential for the proper operation of the aforementioned sewage works.

all in accordance with the supporting documents listed in Schedule 'A'.

For the purpose of this environmental compliance approval, the following definitions apply:

"Approval" means this environmental compliance approval, any schedules attached to it, and the Application;

"Director" means a person appointed by the Minister pursuant to section 5 of the EPA for the purposes of Part II.1 of the EPA;

"District Manager" means the District Manager of the appropriate local district office of the Ministry where the Works are geographically located;

"EPA" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;

"Licensed Installer" means a person who is registered under the OBC to construct, install, repair, service,

clean or empty on-site sewage systems;

"Ministry" means the ministry of the government of Ontario responsible for the EPA and OWRA and includes all officials, employees or other persons acting on its behalf;

"Owner" means 10647802 Canada Limited, and includes its successors and assignees;

"OWRA" means the Ontario Water Resources Act, R.S.O. 1990, c. O.40, as amended;

"Professional Engineer" means a person entitled to practise as a Professional Engineer in the Province of Ontario under a licence issued under the Professional Engineers Act;

"Site" means specific location where the mobile sewage Works is to be deployed; and

"Works" means the sewage works described in the Approval.

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

TERMS AND CONDITIONS

1. GENERAL CONDITION

- (1) The Owner shall ensure that any person authorized to carry out work on or operate any aspect of the Works is notified of this Approval and the terms and conditions herein and shall take all reasonable measures to ensure any such person complies with the same.
- (2) Except as otherwise provided by these terms and conditions, the Owner shall design, build, install, operate and maintain the Works in accordance with this Approval.
- (3) Where there is a conflict between a provision of this environmental compliance approval and any document submitted by the Owner, the conditions in this environmental compliance approval shall take precedence. Where there is a conflict between one or more of the documents submitted by the Owner, the Application shall take precedence unless it is clear that the purpose of the document was to amend the Application
- (4) Where there is a conflict between the documents listed in the Schedule A, and the application, the application shall take precedence unless it is clear that the purpose of the document was to amend the application.
- (5) The terms and conditions of this Approval are severable. If any term and condition of this environmental compliance approval, or the application of any requirement of this environmental compliance approval to any circumstance, is held invalid or unenforceable, the application of such condition to other circumstances and the remainder of this

Approval shall not be affected thereby.

2. CHANGE OF OWNER

- (1) The Owner shall notify the District Manager and the Director, in writing, of any of the following changes within **thirty (30) days** of the change occurring:
 - (a) change of address of Owner or operating authority;
 - (b) change of Owner or operating authority or both, including address of new Owner or operating authority, or both;
 - (c) change of partners where the Owner or operating authority is or at any time becomes a partnership, and a copy of the most recent declaration filed under the *Business Names Act, R.S.O. 1990, c. B.17* ; and
 - (d) change of name of the corporation where the Owner or operator is or at any time becomes a corporation, and a copy of the “Initial Return” or “Notice of Change” filed under the *Corporations Information Act, R.S.O. 1990, c. C.39* , shall be included in the notification to the District Manager.
- (2) In the event of any change in ownership of the Works, the Owner shall notify in writing the succeeding owner of the existence of this Approval, and a copy of such notice shall be forwarded to the District Manager.
- (3) The Owner shall ensure that all communications made pursuant to this condition refer to the number at the top of this environmental compliance approval.

3. AREA OF OPERATION

- (1) The Owner may operate the Works for temporary operations at camp sites (excluding seasonal recreational use), construction site and remediation sites to solve an existing pollution problem anywhere within the Province of Ontario for the purposes of collecting sewage.
- (2) The Owner shall ensure that the mobile sewage Works are not deployed at a Site for more than **one (1) year**. Pursuant to site specific considerations, the District Manager may provide an extension in writing for a maximum of **one (1) additional year** for continuation of operations of the Works at the Site.
- (3) The Owner shall notify the Client in writing that continuation of operation of the Works beyond the **one (1) year** time frame or the **one (1) additional year** extension (if granted in writing by the District Manager) would require Client to submit an application in advance to the Director for an Environmental Compliance Approval, complete with all required supporting information and appropriate application fee. The Owner shall provide

a copy of this notification to the District Manager along with a letter outlining the proposed course of action to be pursued with respect to continued operation of the Works at the Site or their removal from the Site.

4. OPERATION AND PERFORMANCE

- (1) The Owner shall ensure that the construction of the Works is supervised by a Licensed Installer or a professional Engineer.
- (2) Upon construction of the Works at any location, the Owner shall prepare a statement, certified by a Licensed Installer or a Professional Engineer, that the Works are constructed in accordance with this Approval, and upon request, shall make the written statement available for inspection by Ministry staff.
- (3) The Owner shall make all necessary investigations, take all necessary steps and obtain all necessary approvals so as to ensure that the physical structure, siting and operations of the Works do not constitute a safety or health hazard to the general public.
- (4) The Owner shall maintain and service the works in such a manner that leaks and spills are prevented.
- (5) Trained personnel shall carry out a visual inspection of the Works each day the Site is in operation to ensure that:
 - (a) there is enough capacity in the holding tanks to ensure continuous operation of the facility;
 - (b) the integrity of the tanks is maintained (no leaks);
 - (c) the operation of the site is not causing adverse effects on the environment; and
 - (d) that the Works are being operated in compliance with this Approval.
- (6) A record of the inspections and maintenance shall be kept in a daily log book that includes the following information:
 - (a) the name and signature of the person that conducted the inspection or responsible for the sewage pump out;
 - (b) the date and time of the inspection;
 - (c) the remaining capacity in the holding tanks at the time of the inspection;
 - (d) the date, time and volume of the sewage pump out from the holding tank(s);

- (e) a list of any deficiencies discovered or other observations (including location) of any leaks and/or spills at or around any component of the Works; and
 - (f) recommendations for remedial action and the date, time and description of actions taken to mitigate the situation.
- (7) The aforementioned log book shall be kept at the site when in operation and made available for inspection by a Provincial Officer upon demand.
- (8) The Owner shall have a valid agreement with a hauler who is in possession of a Waste Management Systems Certificate of Approval at all times during the operation of this Works at the site and submit a copy of a valid agreement with a licensed hauler to the District Manager.

5. DISTRICT MANAGER NOTIFICATION REQUIREMENTS

- (1) A minimum of **thirty (30) days** and up to **ninety (90) business days** prior to the deployment of the mobile sewage Works at a Site, the Owner shall provide written notification to the District Manager.
- (2) The notification per subsection (1) shall at minimum include the following information:
- (a) identification of the Environmental Compliance Approval Number under which the Works are to be operated as well as general information regarding the Site where the Works are to be deployed including the name of the Client, Site use and location, and identification of the Ministry District Office with responsibility for the Site;
 - (b) a detailed project description related to the Site, prepared by the Client, providing GPS co-ordinates for the Site and the receiver, a location description, a mining claim number if applicable, outline of the activities taking place at the Site, and identification of any permits/approvals that have been issued previously;
 - (c) a scaled site-plan, indicating the intended location of the Works relative to the on-site structures, property lines within 500 m, drainage ditches, wells, surface watercourses/features and discharge location of the Works;
 - (d) technical information about the Works including population served, total daily sewage flow, and system components, and number of sewage holding tank(s) to be deployed to service the Site and identification of power source to operate the Works;
 - (e) expected date of deployment at the Site and expected duration of use at the Site;

- (f) identification of the Operator (whether associated with the Owner or the Client), including an outline of the training provided or to be provided;
 - (g) identification of the licensed hauler and the receiving sewage treatment facility;
 - (h) a request to the District Manager to indicate if notification of Aboriginal communities is required and, if so, to provide the Owner with a list of Aboriginal communities to be notified of the deployment; and
 - (i) any other information the District Manager required.
- (3) At least **ten (10) business days** prior to the deployment of Works at a Site, the Owner shall provide a written summary report on the results of the Aboriginal notification, if required. The summary shall include:
- (a) aboriginal communities involved;
 - (b) copy of the notification letter; and
 - (c) any questions, comments and concerns raised and how they were addressed.
- (4) At least **thirty (30) business days** prior to the removal of the Works from the Site, the Owner shall provide a written notification to the District Manager of the expected date the Works will be removed from the Site.

6. ABORIGINAL NOTIFICATION REQUIREMENTS

- (1) If deemed to be required by the District Manager, At least **forty-five (45) calendar days** prior to the deployment of the Works at a Site, the Owner shall provide written notification of the deployment to the list of Aboriginal communities provided by the District Manager. The District Manager shall be copied on each of these notification
- (2) Within **one (1) week** of being informed, the Owner shall contact the District Manager if any of the identified communities indicates to the Owner in response to the notification that the work being undertaken will negatively impact Aboriginal or treaty rights.
- (3) If an Aboriginal community raises any concerns related to the deployment of the Works at a Site, the Owner shall consider and respond to the concerns of the Aboriginal community, and address them to the satisfaction of the Ministry, prior to the deployment of the Works.
- (4) During the period of the deployment of the mobile sewage Works at a Site, the Owner shall:
 - (a) create and maintain written records of all communications with Aboriginal

communities; and

- (b) make the written records available for review by the Ministry upon request.
- (5) At least **thirty (30) business days** before the removal of the Works from the Site, the Owner shall notify the Aboriginal communities, if identified by the District manager, of the expected date that the Works will be removed from the Site and provide the ministry with a copy of the notification.

7. FINANCIAL ASSURANCE

- (1) Within 90 days of issuance of this Approval the Owner shall submit to the Director, Financial Assurance, as defined in Section 131 of the Act, for the amount of sixty thousand dollars (\$60,000). This Financial Assurance shall be in a form acceptable to the Director and shall provide sufficient funds to pay for the compliance with and performance of any action specified in this Approval including the clean-up, monitoring and post closure care of the Works.
- (2) Commencing on September 07, 2025, and at intervals of five (5) years thereafter, the Owner shall submit to the Director, a re-evaluation of the amount of Financial Assurance to implement the actions required under Subsection (1). The re-evaluation shall include an assessment based on any new information relating to the environmental conditions of the Works and shall include the costs of additional monitoring and/or implementation of contingency plans required by the Director upon review of the closure plan and annual reports. The Financial Assurance must be submitted to the Director within ten (10) days of written acceptance of the re-evaluation by the Director.
- (3) Commencing on September 07, 2021, the Owner shall prepare and maintain at the Works an updated re-evaluation of the amount of Financial Assurance required to implement the actions required under Subsection (1) for each of the intervening years in which a re-evaluation is not required to be submitted to the Director under Subsection (2). The re-evaluation shall be made available to the Ministry, upon request.
- (4) The amount of Financial Assurance is subject to review at any time by the Director and may be amended at his/her discretion. If any Financial Assurance is scheduled to expire or notice is received, indicating Financial Assurance will not be renewed, and satisfactory methods have not been made to replace the Financial assurance at least sixty (60) days before the Financial Assurance terminates, the Financial Assurance shall forthwith be replaced by cash.

8. REPORTING

- (1) In addition to the obligations under Part X of the EPA, the Owner shall, within **ten (10) working days** of the occurrence of any reportable spill as defined in Ontario Regulation 675/98, bypass or loss of any product, by-product, intermediate product, oil, solvent,

waste material or any other polluting substance into the environment, submit a full written report of the occurrence to the District Manager describing the cause and discovery of the spill or loss, clean-up and recovery measures taken, preventative measures to be taken and schedule of implementation.

- (2) The Owner shall prepare and submit electronically in a format acceptable to the Ministry a performance report on an annual basis for all systems in operation to each District Manager(s) of the District Offices, depending upon the location of the Site(s) where the Works were deployed, that provides a summary of each mobile Works operated during the past calendar year. This report shall be submitted within **ninety (90) days** following the end of the calendar year, and shall include but not necessarily be limited to the following information for each site:
- (a) a detailed summary of the location (s) that the unit operated during the calendar year;
 - (b) the volume of waste generated and disposed of during the year;
 - (c) the name of the hauler(s) that hauled the sewage and the name of the treatment facility(ies) that received the sewage;
 - (d) a summary of any environmental or operational problems encountered during the operation of the Works; and
 - (e) any other information the District Manager required.

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

1. Condition 1 is imposed to ensure that the Works are built and operated in the manner in which they were described and upon which approval was granted. This condition is also included to emphasize the precedence of conditions in the Approval and the practice that the Approval is based on the most current document, if several conflicting documents are submitted for review.
2. Condition 3 is included to ensure that the Ministry records are kept accurate and current with respect to the approved Works and to ensure that subsequent owners of the Works are made aware of the Approval and continue to operate the Works in compliance with it.
3. Condition 3 is included to ensure that the Works are only operated under the specified conditions and in specified areas.
4. Conditions 4 is included to ensure that Works are operated in such a manner to prevent a health risk or nuisance condition.

5. Condition 5 is included to ensure that the Ministry is notified when and where the mobile sewage holding tanks shall be deployed to ensure that their operation does not lead to impairment of the local environment.
6. Condition 6 is included to ensure that identified Aboriginal communities are notified when and where the Works shall be deployed to ensure consideration of their interest.
7. Condition 7 is included to ensure that the Owner provides financial assurance on a timely basis, in an amount adequate to cover the capital and operating costs of the environmental measures for which it is provided and is in a form readily used by Ministry personnel.
8. Condition 8 is included to provide a performance record for future references, to ensure that the Ministry is made aware of problems as they arise, and to provide a compliance record for all the terms and conditions outlined in this Approval, so that the Ministry can work with the Owner in resolving any problems in a timely manner. The Condition also ensures that the Ministry is updated, on a regular basis, on the operations of the mobile treatment Works approved under this Approval.

Schedule A

1. Environmental Compliance Approval Application for Industrial Sewage Works submitted by Esler Todd, of Terra Water Systems Inc., and signed by Tim Flye, Owner, of 10647802 Canada Limited, dated June 15, 2020; and all supporting documentation and information.

In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me, the Environmental Review Tribunal and in accordance with Section 47 of the Environmental Bill of Rights, 1993, the Minister of the Environment, Conservation and Parks, within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Minister of the Environment, Conservation and Parks will place notice of your appeal on the Environmental Registry. Section 142 of the Environmental Protection Act provides that the Notice requiring the hearing shall state:

- a. 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;
- b. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The Notice should also include:

1. The name of the appellant;
2. The address of the appellant;
3. The environmental compliance approval number;
4. The date of the environmental compliance approval;
5. The name of the Director, and;
6. 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 Minister of the Environment,
Conservation and Parks
777 Bay Street, 5th Floor
Toronto, Ontario
M7A 2J3

AND

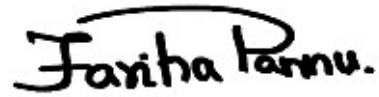
The Director appointed for the purposes of
Part II.1 of the Environmental Protection Act
Ministry of the Environment,
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

*** 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) 326-5370 or www.ert.gov.on.ca**

This instrument is subject to Section 38 of the Environmental Bill of Rights, 1993, that allows residents of Ontario to seek leave to appeal the decision on this instrument. Residents of Ontario may seek leave to appeal within 15 days from the date this decision is placed on the Environmental Registry. By accessing the Environmental Registry at <https://ero.ontario.ca/>, you can determine when the leave to appeal period ends.

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

DATED AT TORONTO this 8th day of September, 2020



Fariha Pannu, P.Eng.

Director

appointed for the purposes of Part II.1 of the
Environmental Protection Act

AA/

c: Area Manager, MECP Kenora Area Office

c: District Manager, MECP Thunder Bay - District Office
Esler Todd, Terra Water Systems Inc.