

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 6375-BTNRWF
Issue Date: November 4, 2020

Canada Clean Fuels Inc.
4425 Chesswood Drive
Toronto, Ontario
M3J 2C2

Site Location: Elk Lake Bulk Plant
6 Industrial Park Road
Elk Lake, Township of James, District of Timiskaming
P0J 1G0

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:

sewage works for the collection, transmission, treatment, and disposal of stormwater run-off from a bulk fuel storage plant at the above mentioned Site Location, discharging via outlet ditch on north east side of the property to the Montreal River, consisting of the following,

- **Oil Water Separator** : one (1) oil water separator (MacGregor Concrete Model Number MAC-6000B-SEP or Approved Equivalent) with overall volume of 6,025 litres and maximum flow rate of 200 litres per minutes; having maximum sediment capacity of 238 litres and oil capacity of 238 litres, sized for a 0.008 hectares catchment area; receiving flow from concrete catchment area via catchbasin and discharging effluent into a 100 millimetre diameter buried pipe, which will ultimately discharge to the existing roadside ditch with surface drainage directed to the Montreal River 400 meter north east to the site.

all other controls and appurtenances essential for the proper operation of the aforementioned sewage works.

all in accordance with supporting documents listed in **SCHEDULE 'A'**.

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

1. "Application" means the application for an environmental compliance approval submitted to the Ministry for approval by or on behalf of the Owner and dated March 12, 2020.
2. "Approval" means this environmental compliance approval, any schedules attached to it, and the Application.
3. "Approved Equivalent" means a substituted equipment or like for like equipment that meets the required quality and performance standards of a name equipment.
4. "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.
5. "District Manager" means the District Manager of the appropriate local District Office of the Ministry, where the Works are geographically located.
6. "EPA" means the *Environmental Protection Act, R.S.O. 1990, c.E.19* , as amended.
7. "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.
8. "Owner" means Canada Clean Flue Inc., and includes its successors and assignees;
9. "OWRA" means the *Ontario Water Resources Act, R.S.O. 1990, c. O.40* , as amended; and
10. "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 conditions herein and shall take all reasonable measures to ensure any such person complies with the same.
2. Except as otherwise provided by these conditions, the Owner shall design, build, install, operate and maintain the works in accordance with the description given in this

Approval, and the Application for approval of the Works.

3. Where there is a conflict between a provision of any submitted document referred to in this Approval and the conditions of this Approval, the conditions in this Approval shall take precedence, and where there is a conflict between the listed submitted documents, the document bearing the most recent date shall prevail.
4. Where there is a conflict between the submitted documents and the application, the application shall take precedence, unless it is clear that the purpose of the documents was to amend the Application.
5. The conditions of this Approval are severable. If any condition of this Approval or the application of any requirement of this 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.
6. The issuance of, and compliance with the conditions of, this Approval: does not:
 - a. relieve any person of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement, including, but not limited to, the obligation to obtain approvals from the local conservation authority and the municipality necessary to construct or operate the sewage Works; or
 - b. limit in any way the authority of the Ministry to require certain steps be taken to require the Owner to furnish any further information related to compliance with this Approval.

2. EXPIRY OF APPROVAL

1. The Approval issued by this Approval will cease to apply to those parts of the Works which have not been constructed within **five (5) years** of the date of this Approval.

3. 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 Owner;
 - b. change of address of Owner;
 - 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 Name Act*, R.S.O. 1990, c.B17 shall be included in the notification to the District Manager;
or

- 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 most current information filed under the *Corporations Information Act*, R.S.O. 1990, c.C39 shall be included in the notification to the District Manager.
2. In the event of any change in ownership of the Works, other than a change to a successor municipality, 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 and the Director.
3. The Owner shall ensure that all communications made pursuant to this condition refer to the number at the top of this Approval.

4. OPERATION MANUAL

1. The Owner shall prepare an operations manual prior to the construction, use and operation of the Works that includes, but is not limited to, the following information:
 - a. operating procedures for routine operation of the Works ;
 - b. inspection programs, including frequency of inspection, for the Works and the methods or tests to be employed to detect when maintenance is necessary;
 - c. repair and maintenance programs, including the frequency of repair and maintenance for the Works;
 - d. contingency plans and procedures for dealing with a potential spill, bypasses or any other abnormal situations, including notifying the District Manager of the situation; and
 - e. procedures for receiving and responding to public complaints.
2. The Owner shall review and update the operations manual from time to time and shall retain a copy of the updated manual on-site at the Works. Upon request, the Owner shall make the manual available for inspection and copying by Ministry personnel.

5. OPERATION AND MAINTENANCE

1. 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, health or flooding hazard to the general public.
2. The Owner shall undertake an inspection of the condition of the Works, at least once a year, and undertake any necessary cleaning and maintenance to ensure that sediment, debris and excessive decaying vegetation are removed from the Works to prevent the

excessive build-up of sediment, oil/grit, debris and/or decaying vegetation, to avoid reduction of the capacity and/or permeability of the Works, as applicable. The Owner shall also regularly inspect and clean out the inlet to and outlet from the Works to ensure that these are not obstructed.

3. The Owner shall ensure that equipment and material for the containment, clean-up and disposal of fuel and oil and materials contaminated with such, is on hand and in good repair for immediate use in the event of:
 - a. loss of fuel or oil to the Works. or
 - b. a spill within the meaning of Part X of the EPA.
4. The Owner shall retain for a minimum of **five (5) years** from the date of their creation, all records and information related to or resulting from the operation and maintenance activities required by this Approval.

6. EFFLUENT OBJECTIVE

1. The Owner shall use best efforts to design, construct, operate and maintain the Works with the objective that the concentrations of the materials named as effluent parameters in the Effluent Objective Table listed in **SCHEDULE 'B'** are not exceeded in the effluent from the Works.
2. In the event of an exceedence of the objective set out in subsection (1), the Owner shall,
 - a. notify the District Office as soon as possible during normal working hours,
 - b. take immediate action to identify the source of contamination, and
 - c. take immediate action to prevent further exceedence.

7. EFFLUENT VISUAL OBSERVATIONS

1. Notwithstanding any other condition in this Approval, the Owner shall ensure that the effluent from the Works is essentially free of floating and settleable solids and does not contain oil or any other substance in amounts sufficient to create a visible film, sheen, foam, or discoloration on the receiving waters.
2. Notwithstanding any other condition in this Approval, the Owner shall ensure that the effluent from the Works shall not cause flooding or erosion to the downstream receiver and in particular road flooding.

8. MONITORING AND RECORDING

The Owner shall, upon commencement of operation of the Works, carry out the following monitoring program:

1. All samples and measurements taken for the purposes of this Approval are to be taken at a time and in a location characteristic of the quality and quantity of the effluent stream over the time period being monitored.
2. Samples shall be collected from the oil water separator and analyzed, at the sampling frequency and using the sample type specified for each parameter listed in the Effluent Monitoring Table included in **SCHEDULE 'B'**.
3. The measurement frequencies specified in the Effluent Monitoring Table included in **SCHEDULE 'B'** in respect of any parameter are minimum requirements which may, after twenty-four (24) months of monitoring in accordance with this condition, be modified by the Director in writing from time to time.
4. The methods and protocols for sampling, analysis and recording shall conform, in order of precedence, to the methods and protocols specified in the following:
 - a. the Ministry's publication "Protocol for the Sampling and Analysis of Industrial/Municipal Wastewater" (August 1994), ISBN 0-7778-1880-9, as amended from time to time by more recently published editions; and
 - b. the publication "Standard Methods for the Examination of Water and Wastewater" (21st edition), as amended from time to time by more recently published editions.
5. The Owner shall retain for a **minimum of five (5) years** from the date of their creation, all records and information related to or resulting from the monitoring activities required by this Approval.

9. REPORTING

1. One week prior to the start up of the operation of the Works, the Owner shall notify the District Manager (in writing) of the pending start up date.
2. The Owner shall report to the District Manager or designate, any exceedence of any parameter specified in condition 6 orally, as soon as reasonably possible, and in writing within **seven (7) days** of the exceedence.
3. 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.

4. The Owner shall, upon request, make all manuals, plans, records, data, procedures and supporting documentation available to Ministry staff.
5. The Owner shall prepare, and submit to the District Manager, a performance report, on an annual basis, on or before **April 1st**. The reports shall contain, but shall not be limited to, the following information:
 - a. a description of any operating problems encountered and corrective actions taken;
 - b. a summary of all maintenance carried out on any major structure, equipment, apparatus, mechanism or thing forming parts of the Work, including an estimate of the quantity of any materials removed from the Works;
 - c. a summary of the calibration and maintenance carried out on all effluent monitoring equipment;
 - d. a summary of any effluent quality assurance or control measures undertaken in the reporting period;
 - e. a description of efforts made and result achieved in meeting the effluent objectives of Condition 6;
 - f. a summary of any complaints received during the reporting period and any steps taken to address the complaints;
 - g. a summary of all spill or abnormal discharge events; and
 - h. any other information the District Manager requires from time to time.

10. EFFLUENT REQUIREMENT (FUTURE)

1. Based on the monitoring results specified in condition 8, the Director may impose effluent limits in the future for the effluent from the stormwater management infrastructure. The Owner shall have to submit a proposal for approval of a treatment system to meet the limits being imposed in the future.
2. The Director may, in addition to the parameters specified in condition 8, impose in the future new parameters for monitoring.

11. CONSTRUCTION OF THE WORKS

1. Upon the construction of the Works, the Owner shall prepare a statement, certified by 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 personnel.

2. Upon the construction of the Works, a set of as-built drawings showing the works “as constructed” shall be prepared. These drawings shall be kept up to date through revisions undertaken from time to time and a copy shall be retained at the Works for the operational life of the Works.

12. SPILL CONTINGENCY PLAN

1. Within **six (6) months** from the issuance of this Approval, the Owner shall implement a spill contingency plan - that is a set of procedures describing how mitigate the impact of a spill within the area serviced by the Works. The Owner shall, upon request, make this plan available to Ministry staff. This plan shall include as a minimum:
 - a. the name, job title, and location(address) of the Owner, person in charge, management or person(s) in control of the facility;
 - b. the name, job title and 24-hour telephone number of the person(s) responsible for activating the spill contingency plan;
 - c. a site plan drawn to scale showing the types of business, streets, catch basins & manholes, drainage patterns (including direction(s) of flow in storm sewers) and any features which need to be taken into account in terms of potential impacts on access and response (including physical obstructions and location of response and clean-up equipment);
 - d. steps to be taken to report, contain, clean up and dispose of contaminants following a spill;
 - e. a listing of telephone numbers for: local clean-up companies who may be called upon to assist in responding to spills; local emergency responders including health institution(s); and Ministry's Spills Action Centre 1-800-268-6060;
 - f. Materials Safety Data Sheets (MSDS) for each and every hazardous material which may be transported or stored within the area serviced by the Works;
 - g. the means (internal corporate procedures) by which the spill contingency plan is activated;
 - h. a description of the spill response and pollution prevention training provided to employees assigned to work in the area serviced by the Works, the date(s) on which the training was provided and to whom;
 - i. an inventory of response and clean-up equipment available to implement the spill

contingency plan, location and date of maintenance/replacement if warranted, including testing and calibration of the equipment; and

- j. the date on which the spill contingency plan was prepared and subsequently, amended.
2. The spill contingency plan shall be kept in a conspicuous, readily accessible location on-site.
 3. The spill contingency plan will be amended from time to time as needed by changes in the operation of the facility or to reflect updates in the Municipal By-Laws, or improved Best Management Practices by the Owner.

SCHEDULE 'A'

1. Environmental Compliance Approval Application for Industrial Sewage Works submitted by Iris O'Connor, BluMetric Environmental Inc., and signed by Tom O'Neil, Sales-Northern Ontario, Canada Clean Fuel Inc., dated March 12, 2020; and all supporting documentation and information.

SCHEDULE 'B'

Table 1 - Effluent Objective Table	
Effluent Parameters	Concentration (milligrams per litre unless otherwise indicated)
Column 1	Column 2
Oil and Grease	15
Total Suspended Solids	25
pH of the effluent maintained between 6.5 to 8.5, inclusive, at all times	

Table 2 - Effluent Monitoring Table	
Locations	on discharge from the Oil Water Separator
Frequency	Once a year; or Immediately after a spill and every 3 month for 12 months; or Once a month if the sampled effluent exceeds the effluent objective.
Sample Type	Grab
Parameters	Benzene, Toluene, Ethlybenzene, and Xylene (meta-, para-, and ortho-xylenes) (BTEX); Oil and Grease; Polycyclic Aromatic Hydrocarbons (PAHs); Petroleum Hydrocarbon Fractions (F1 - F4); pH (field); and Total Suspended Solids (TSS).

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 for review 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 2 is included to ensure that, when the Works are constructed, the Works will meet the standards that apply at the time of construction to ensure the ongoing protection of the environment.
3. Condition 3 is included to ensure that the Ministry records are kept accurate and current with respect to 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.
4. Condition 4 is included to ensure that a comprehensive operations manual governing all significant areas of operation, maintenance and repair is prepared, implemented and kept up-to-date by the Owner and made available to the Ministry. Such a manual is an integral part of the operation of the Works. Its compilation and use should assist the owner in staff training, in proper plant operation and in identifying and planning for contingencies during possible abnormal conditions. The manual

will also act as a benchmark for Ministry staff when reviewing the Owner's operation of the Works.

5. Condition 5 is included to ensure that the Works will be operated and maintained in a manner enabling compliance with the terms and conditions of this Approval, such that the environment is protected and deterioration, loss, injury or damage to any person or property is minimised and/or prevented.
6. Conditions 6 and 7 are imposed to establish non-enforceable effluent quality objectives which Owner is obligated to use best effort to meet on an ongoing basis. Also imposed are procedures to be followed to minimize environmental impact in the event of objectives are exceeded.
7. Condition 8 is included to enable the Owner to evaluate and demonstrate the performance of the Works, on a continual basis, so that the Works are properly operated and maintained at a level which is consistent with the design and effluent objectives specified in the Approval and that the Works does not cause any impairment to the receiver.
8. Condition 9 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.
9. Condition 10 is included to make the Owner aware that the Director may impose effluent limits for the discharge from the Works and, if required, the Owner shall have to submit a proposal for a treatment system to comply with the imposed limit.
10. Condition 11 is included to ensure that the Works are constructed in accordance with the approval and that record drawings of the Works "as constructed" are maintained for future references.
11. Condition 12 is included to ensure that the Owner will implement the spill contingency plan, such that the environment is protected and deterioration, loss, injury, or damage to any person(s) or property is prevented.

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

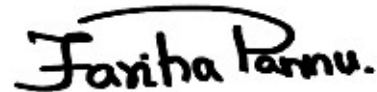
The Director appointed for the purposes of
Part II.1 of the Environmental Protection Act
Ministry of the Environment,
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

*** 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 4th day of November, 2020



Fariha Pannu, P.Eng.

Director

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

JW/

c: Area Manager, MECP North Bay
c: District Manager, MECP Sudbury
Iris O'Connor, BluMetric Environmental Inc.