

**Content Copy Of Original**



Ministry of the Environment, Conservation and Parks  
Ministère de l'Environnement, de la Protection de la nature et des Parcs

**AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 4267-BM5KXE

Issue Date: November 2, 2020

Accuworx Inc.  
36 & 40 Advance Boulevard  
Brampton, Ontario  
L6T 4J4

**Site Location:** Mobile Facility

*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:*

- two (2) mobile remediation systems to treat contaminated water and/or groundwater operating simultaneously at two (2) independent *Sites* or simultaneously at the same *Site* as follows:
  - System 1 with a maximum capacity of 567.81 litres per minute (150 US gallons per minute) of water, discharging into the air through Source ID S1;
  - System 2 with a maximum capacity of 3785.41 litres per minute (1000 US gallons per minute) of water, discharging into the air through Source ID S2 and equipped with a 350 kilowatt diesel generator discharging into the air through Source ID S3;

all in accordance with the application for an environmental compliance approval submitted by Accuworx Inc., dated October 3, 2019 and signed by Kim Hobbs, Estimator; and the supporting information, including the Emission Summary and Dispersion Modelling Report, dated October 2019 prepared and submitted by Zachary Zehr of Dillon Consulting Ltd., the Acoustic Assessment Report dated November 2019 prepared by Lucas Arnold of Dillon Consulting Ltd, and additional information in support of the application, submitted by Dillon Consulting Ltd.

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

1. "*Approval*" means this Environmental Compliance Approval, including the application and supporting documentation listed above;
2. "*Acoustic Assessment Report*" means the report prepared in accordance with *Publication NPC-233* submitted in support of the application that documents all

sources of noise emissions and *Noise Control Measures* present at the *Site*. " *Acoustic Assessment Report*" also means the Acoustic Assessment Report dated November 2019, prepared and signed by Lucas Arnold of Dillon Consulting;

3. "*Class 1 Area*" means an area with an acoustical environment typical of a major population centre, where the background sound level is dominated by the urban hum;
4. "*Class 2 Area*" means an area with an acoustical environment that has qualities representative of both Class 1 and Class 3 Areas, and in which a low background sound level, normally occurring only between 11:00 PM and 7:00 AM in Class 1 Areas, will typically be realized as early as 7:00 PM;
5. "*Class 3 Area*" means a rural area with an acoustical environment that is dominated by natural sounds having little or no road traffic, such as the following:
  - a. a small community with less than 1000 population
  - b. agricultural area;
  - c. a rural recreational area such as a cottage or a resort area; or
  - d. a wilderness area;
6. "*Company*" means Accuworx Inc., that is responsible for the construction or operation of the *Process* at each *Site*, and includes any successors and assigns;
7. "*District Manager*" means the District Manager of the appropriate local district office of the *Ministry*, where the *Site* is geographically located;
8. "*EPA*" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended ;
9. "*Equipment*" means the equipment associated with the *Process* as described in the *Company's* application, this *Approval* and in the supporting documentation submitted with the application, to the extent approved by this *Approval*;
10. "*Monitoring Plan*" means a written monitoring plan developed for each *Site* as described in Condition 8;
11. "*Ministry*" means the ministry of the government of Ontario responsible for the *EPA* and includes all officials, employees or other persons acting on its behalf;
12. "*Noise Control Measures*" means measures to reduce the noise emissions from the *Site* and/or *Equipment* including, but not limited to, silencers, enclosures, absorptive treatment, plenums and barriers, described in the *Company's* application, and in the supporting documentation referred to herein, including the *Acoustic Assessment Report*, to the extent approved by this *Approval*;
13. "*Operations and Maintenance Manual*" means the written operations and maintenance manual developed for the *Company* as described in Condition 3;

14. "*Point of Reception*" means:
  - a. for Class 1 and Class 2 Areas, any point on the premises of a person where sound or vibration originating from other than those premises is received;
  - b. for Class 3 Areas, a point on the premises of a person within 30 m of a dwelling or a camping area, where sound or vibration originating from other than those premises is received;
  - c. for the purpose of approval of new sources, including verifying compliance with Section 9 of the *EPA*, the point of reception may be located on any of the following existing or zoned for future use premises:
    - i. permanent or seasonal residences,
    - ii. hotels/motels,
    - iii. nursing/retirement homes,
    - iv. rental residences,
    - v. hospitals,
    - vi. camp grounds,
    - vii. noise sensitive buildings such as schools and places of worship;
  - d. for equipment/facilities proposed on premises such as nursing/retirement homes, rental residences, hospitals, and schools, the point of reception may be located on the same premises;
15. "*Process*" means the each of the two (2) mobile remediation systems to treat contaminated water and/or groundwater as described in the *Company's* application, this *Approval* and in the supporting documentation submitted with the application, to the extent approved by this *Approval*;
16. "Publication NPC-233" means the Ministry Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October, 1995 as amended;
17. "*Publication NPC-300*" means the *Ministry* Publication NPC-300, "Environmental Noise Guideline, Stationary and Transportation Sources – Approval and Planning, Publication NPC-300", August 2013, as amended;
18. "*Remedial Work Plan*" means a plan, developed for the *Site*, prepared as a single document as described in Condition 2;
19. "*Sensitive Receptor*" means any location where routine or normal activities occurring at reasonably expected times would experience adverse effect(s) from discharges from the *Process* to the atmosphere, including one or a combination of:
  - a. private residences or public facilities where people sleep (eg: single and

- multi-unit dwellings, nursing homes, hospitals, trailer parks, camping grounds, etc.);
- b. institutional facilities (eg: schools, churches, community centres, day care centres, recreational centres, etc.);
  - c. outdoor public recreational areas (eg: trailer parks, play grounds, picnic areas, etc.); and
  - d. other outdoor public areas where there are continuous human activities (eg: commercial plazas and office buildings);
20. "*Schedules*" means the following schedules attached to the Approval and forming part of the Approval namely:
- a. Schedule A - Form 1: Soil / Groundwater Remediation Process Notice of Intended Location
  - b. Schedule B - Setback Distances to the Nearest Point of Reception;
21. "*Site*" means the property on which the *Process* is operated;
22. "*Soil, Groundwater and Sediment Standards*" means the Ministry publication "Soil, Groundwater and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act" dated April 15, 2011, as amended;
23. "*SPCP*" means the written Spill Prevention and Contingency Plan developed for the *Company* as described in Condition 5;
24. "*Supporting Documents*" means the *Ministry* publications that accompany the Soil, Groundwater and Sediment Standards including "Guide for Completing Phase II Environmental Site Assessment under Ontario Regulation 153/04" dated June 2011, as amended; and
25. "*Target Compound(s)*" means the petroleum hydrocarbons and volatile organic compounds (VOCs) or other compounds listed in the *Soil, Groundwater and Sediment Standards* that the *Process* is designed to treat as part of the *Remedial Work Plan*.

*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. Performance Requirements

1. The *Company* shall, at all times, design and operate the *Process* with the

intent to reduce the water//groundwater concentrations of the *Target Compounds* to comply with the appropriate criteria provided in the *Soil, Groundwater and Sediment Standards*, appropriate worker health and safety criteria, or *Site* specific criteria developed in accordance with the *Supporting Documents*.

2. The *Company* shall, ensure that the noise emissions from the *Process* at the *Site* comply with the limits set out in *Ministry Publication NPC-300*;
3. The *Company* shall:
  - a. fully implement the required *Noise Control Measures* specified in the *Acoustic Assessment Report* prior to commencement of operation at the *Site*;
  - b. ensure that the *Noise Control Measures* are properly maintained and continue to provide the acoustical performance outlined in the *Acoustic Assessment Report*;
4. The *Company* shall ensure a minimum separation distance between the *Site* and the nearest *Point of Reception* as specified in Schedule B;
5. The *Company* shall ensure a minimum separation distance between the *Process* and the nearest *Sensitive Receptor*, based on compliance with air requirements, as follows:
  1. If the *Site* is located in an urban area and both System 1 (Source ID S1) and System 2 (Source ID S2) are operating: 250 metres;
  2. If the *Site* is located in an urban area and both System 1 (Source ID S1) and System 2 (Source ID S2) are operating along with the Diesel Generator (Source ID S3): 250 metres;
  3. If the *Site* is located in a rural area and only System 1 (Source ID S1) is operating: 50 metres;
  4. If the *Site* is located in a rural area and both System 1 (Source ID S1) and System 2 (Source ID S2) are operating: 250 metres;
  5. If the *Site* is located in a rural area and both System 1 (Source ID S1) and System 2 (Source ID S2) are operating along with the Diesel Generator (Source ID S3): 250 metres;
6. The *Company* shall, before commencement of operation of the *Process* at the *Site*, prepare the following:
  - a. a *Remedial Work Plan*;
  - b. a *Monitoring Plan*; and
  - c. an *Operations and Maintenance Manual*; and

7. The *Company* shall, at all times, unless otherwise agreed in writing by the *District Manager*, design and operate the *Process* so that no *Remedial Amendments*, *Target Compounds*, or their decomposition compounds, are permitted to migrate off-*Site* in groundwater or soil vapour, as a result of the *Process*, at concentrations greater than the applicable criteria provided in the *Soil, Groundwater and Sediment Standards*, appropriate worker health and safety criteria or *Site* specific criteria.

## 2. Remedial Work Plan

1. The *Company* shall, before commencement of operation of the *Process* at the *Site*, prepare a *Remedial Work Plan* designed with specific application for the *Site* that specifies, as a minimum:
  - a. the remedial objectives established for the *Site*;
  - b. an overview of the work to be undertaken by the *Company*;
  - c. a description of the *Site*;
  - d. locations of on-*Site* and off-*Site* receptors and potential migration pathways;
  - e. a *Site* plan overview of the extent of contamination at the *Site*;
  - f. locations of the proposed *Equipment* and points of application of the *Process*;
  - g. land uses at the *Site* and in the immediate surrounding vicinity;
  - h. overview of the *Site* geology and hydrogeology, and expected chemical reactions and/or other impacts resulting from the operation of the *Process*; and
  - i. alternative remedial measures to be undertaken in the event that the *Process* is not successful to meet the *Remedial Work Plan* objectives.

## 3. Operations and Maintenance Manual

1. The *Company* shall, before commencement of operation of the *Process* at the *Site*, prepare and implement a *Site* specific *Operations and Maintenance Manual* for the *Equipment* and *Process* that specifies, as a minimum:
  - a. major components of the *Equipment* to be used in the *Process*;
  - b. frequency of inspections and scheduled maintenance for the *Equipment*;
  - c. the *SPCP* procedures to prevent spills relating to the *Process*;
  - d. procedures to prevent and/or minimize odourous and noise emissions;
  - e. procedures to prevent and/or minimize the build-up of hazardous decomposition compounds with respect to appropriate worker health

- and safety criteria for the *Site*;
- f. procedures to prevent any upset conditions and contingency measures to address any off-*Site* migration;
- g. procedures to record and respond to environmental complaints;
- h. steps to be carried out for the discontinuation of the *Process*; and
- i. any other procedures required in accordance with site-specific conditions where the operations of the *Process* occur.

#### **4. Monitoring Plan**

1. The *Company* shall, before commencement of operation of the *Process* at the *Site*, design and implement a *Monitoring Plan*, in accordance with the *Supporting Documents*, for the water/groundwater at the *Site* to document that the Performance Requirements outlined in Condition 1 are not exceeded and that the *Remedial Work Plan* objectives are achieved. The *Monitoring Plan* shall specify, as a minimum:
  - a. the *Monitoring Plan* objectives;
  - b. a list of analytical and/or indicator parameters;
  - c. a *Site*-specific evaluation of the potential impact of the *Process* to assess whether groundwater, and/or surface water monitoring is required;
  - d. a soil vapour monitoring program, when applicable, to assess the levels of hazardous decomposition compounds at the *Site* with respect to appropriate worker health and safety criteria for the *Site*;
  - e. identification of potential migration pathways on-*Site* and off-*Site*;
  - f. procedures for monitoring any potential off-*Site* migration;
  - g. approximate monitoring locations and frequency of the monitoring, prior to, during and after the *Process*; and
  - h. sampling methodology and QA/QC procedures, when applicable.

#### **5. Spill Prevention and Contingency Plan**

1. The *Company* shall prepare, and implement a written spill prevention and contingency plan (*SPCP*) that is applicable to the *Process* at the *Site*. The *SPCP* shall include appropriate measures to mitigate spills that may result from the *Process*, including different spill sizes, types of contaminants, and receiving environments (including land, natural waterways, and municipal sewers). The *SPCP* shall include as a minimum the following information commensurate with the risk of spills at the *Site*:

- a. containment procedures;
  - b. treatment, neutralization and/or clean up procedures;
  - c. disposal procedures that are in accordance with the *EPA*, and/or municipal by-laws and other legislation as applicable;
  - d. securement of necessary equipment;
  - e. notification procedures; and
  - f. details of the training procedures.
2. The *Company* shall ensure that employees and agents of the *Company* have been trained on the *SPCP* prior to commencement of the *Process* at the *Site*.
  3. The *Company* shall review and update the *SPCP* from time to time as needed.

## **6. Notification Requirements**

1. The *Company* shall notify the *District Manager* at least ten (10) calendar days, or at such other time as may be agreed to in writing by the *District Manager*, before commencement of operation of the *Process* at any *Site* by submitting a completed Form 1, set out in *Schedule A* of this *Approval*, with attachments, to the *District Manager*.
2. The *Company* shall notify the *District Manager*, in writing, forthwith if the *Process* is not carried out in accordance with the Performance Requirements outlined in Condition 1.
3. The *Company* shall notify the *District Manager*, in writing, forthwith within two (2) business days of each complaint that the *Company* receives resulting from the operation of the *Process* at the *Site*. The notification shall include the information described in paragraph (f) of Condition 7.

## **7. Record Keeping Requirements**

1. The *Company* shall, for each *Site*, retain for a minimum of five (5) years from the date of their creation, all reports, records, and information as described in this *Approval*, related to or resulting from the operation of the *Process* at the *Site* including:
  - a. the *Remedial Work Plan*;
  - b. the *Monitoring Plan*;
  - c. records about the inspection, maintenance, and repair of the major components of the *Equipment* related to the *Process*;
  - d. records of training of staff related to the operations of the *Site*;
  - e. all monitoring results including any verification sampling; and



- f. records about complaints, including:
  - i. a description of the time and date of the complaint and of the incident to which the complaint relates;
  - ii. the nature of the complaint and the address of the complainant, if known;
  - iii. weather conditions at the time of the incident to which the complaint relates;
  - iv. a description of the measures taken to determine the possible causes of the complaint and the steps taken to investigate and deal with the cause of the incident to which the complaint relates and the steps taken and/or to be taken to prevent a similar occurrence in the future; and
  - v. a written response to the complainant, if known.

## SCHEDULE A

### Form 1 - SOIL / GROUNDWATER REMEDIATION PROCESS - NOTICE OF INTENDED LOCATION

1. Owner/Operator:
2. Contact person and telephone number:
3. Environmental Compliance *Approval* Number and Date of Issuance:
4. Proposed location of the Remediation Process (street address and municipality or lot and concession number)
5. Land use in the immediate vicinity of the *Site*:
6. Operating Schedule:
  1. Date of commencement:
  2. Estimated duration for this process to be operated at this *Site*:
7. Please attach the following:
  - a. A copy of the *Approval*.
  - b. A site plan of the intended location.
  - c. A copy of the *Remedial Work Plan*.
  - d. A confirmation noting whether one or both mobile remediation systems approved under this *Approval* are being operated at this *Site*.

## SCHEDULE B

### SETBACK DISTANCES TO THE NEAREST POINT OF RECEPTION

Operating Scenario	Class 1/2	Class 3
150 GPM + 1,000 GPM + Generator	452 metres	752 metres
150 GPM + 1,000 GPM	386 metres	644 metres
1,000 GPM + Generator	245 metres	723 metres
1,000 GPM	364 metres	609 metres
150 GPM	127 metres	219 metres

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

1. Condition No. 1 is included to outline the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the *Process*.
2. Condition No. 2 is included to require the *Company* to gather accurate information and prepare a work plan prior to carrying out the *Process* at the *Site* and so that compliance with the *EPA* and this *Approval* can be verified.
3. Condition No. 3 is included to emphasize that the *Equipment* and *Process* must be operated according to a procedure that will result in compliance with the *EPA*, the regulations, and this *Approval*.
4. Condition No. 4 is included to require the *Company* to gather accurate information so that the environmental impact and subsequent compliance with the *EPA*, the regulations, and this *Approval* can be verified.
5. Condition No. 5 is included to require the *Company* to prevent and mitigate spills thereby minimizing adverse environmental impacts.
6. Condition No. 6 is included to require the *Company* to notify the *Ministry* so that the environmental impact and subsequent compliance with the *EPA*, the regulations, and this *Approval* can be verified.
7. Condition No. 7 is included to require the *Company* to retain records and provide information to the *Ministry* so that the environmental impact and subsequent compliance with the *EPA*, the regulations, and this *Approval* can be verified.

**Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 2906-9CTQ6A issued on December 19, 2013.**

*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.

*Pursuant to subsection 139(3) of the Environmental Protection Act, a hearing may not be required with respect to any terms and conditions in this environmental compliance approval, if the terms and conditions are substantially the same as those contained in an approval that is amended or revoked by this environmental compliance approval.*

*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](http://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 2nd day of November,  
2020

Rudolf Wan, P.Eng.  
Director  
appointed for the purposes of Part  
II.1 of the *Environmental  
Protection Act*

NB/  
c: District Manager, MECP Halton-Peel District Office  
Zachary Zehr, Dillon Consulting Ltd.