ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 9156-BUYKSC
Issue Date: January 22, 2021

K+S Windsor Salt Ltd.
200 Morton Dr
Windsor, Ontario
N9J 3W9

Site Location: 200 Morton Drive
Lots 39 to 42, Concession 1
City of Windsor, County of Essex

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:

establishment of sewage works for the collection, treatment and disposal of stormwater and salt-impacted stormwater run-off from the sodium chloride rock salt underground mine located at 200 Morton Drive, City of Windsor, to provide an Enhanced Level quality control and quantity control, discharging to Detroit River, consisting of the following:

Northern Section - Process Area

- One (1) existing lined ditch C1, located upstream of the oil and grit separator #1 (OGS #1), serving eight sub-catchments namely BA05 (1.22 ha), BA06 (0.54 ha), BA07 (0.22 ha), BA08 (0.34 ha), BA09 (0.23 ha), BA10 (0.21 ha), BA11 (0.48 ha), and BA12 (0.20 ha), with a the total area of 3.44 ha, having a bottom width of 1 m, average depth of 1.5 m, side slopes equal to 3:1, an approximate length of 120 m and a storage capacity of approximately 1,400 m^3, discharging via a 450 mm HDPE culvert having a slope of 1.0% to an oil and grit separator (OGS #1) as described below;

- **One (1) Oil Grit Separator, OGS # 1 (model EF8 or equivalent),** receiving stormwater runoff from ditch C1 serving a catchment area of 3.44 ha, having a maximum treatment capacity of 88.3 L/s, maximum sediment storage capacity of 8,780 L, maximum oil storage capacity of 1,070 L, and a total storage volume of 12,090 L, discharging to lift station #1 as described below;

- Lift Station # 1 having two submersible pumps (one duty and one standby) with a rated capacity of 1,900 GPM inside a 1,800 mm diameter concrete maintenance hole, conveying the pre-treated stormwater from OGS # 1 to the proposed west collection swale (C001) through a 214 m long and 200 mm wide HDPE discharge forcemain;

- West collection swale C001: a HDPE-lined channel having a length of 87.4 m, a bottom width of 2 m, a depth of 0.5 m, a side slope of 3:1, and a bottom slope of 0.24%, receiving overland flow from NP2 (a drainage area of 0.84 ha) and stormwater discharge from Lift Station #1 and Lift Station #2, with a total contributing drainage area of 6.92 ha, discharging to one collection channel C002 as described below;

- Collection channel C002: a HDPE-lined channel having a length of 205 m, a bottom width of 10 m, a depth of 0.5 m, a side slope of 3:1, a bottom slope of 0.24%, and a total storage capacity of approximately 1,383 m^3 (including some storage volume in C001), receiving overland flow from NP1 (a drainage area of 1.46 ha) and stormwater discharge from the west collection swale C001, with a total contributing drainage area of 8.37 ha, discharging to the proposed dry pond as described below;

- One (1) proposed collection channel C005 with an impermeable liner, located upstream of the oil and grit separator #2 (OGS #2), serving the Jetty sub-catchment with an area of 0.74 ha, having a bottom width of 0.6 m, a depth of 0.3 m, side slopes equal to 3:1, a bottom slope of 0.71%, and an approximate length of 100 m, discharging via a 300 mm HDPE pipe having a slope of 0.5% to an oil and grit separator (OGS #2) as described below;

- Warehouse #1 sump located in Warehouse #1 tunnel, equipped with two submersible pumps (duty and standby arrangement) with a rated capacity of 32 GPM at 25 ft total dynamic head inside a 914 mm by 355 mm by 406 mm concrete sump, discharging collected tunnel water via a 38 mm diameter PVC discharge forcemain to OGS #2 as described below;

- **One (1) Oil Grit Separator, OGS # 2 (model EF6 or equivalent),** receiving stormwater runoff from collection channel C005, warehouse #1 tunnel (pre-treated water), sub-catchments namely BA01 (0.65 ha), BA02 (0.58 ha), BA03 (0.33 ha), and BA04 (0.21 ha), with a total drainage area of 2.51 ha, having a maximum treatment capacity of 49.6 L/s, maximum sediment storage capacity of 3,470 L, maximum oil storage capacity of 610 L, and a total storage volume of 5,070 L, discharging to lift station #2 as described below;

- Lift Station # 2 having two submersible pumps (one duty and one standby) with a rated capacity of 6,000 GPM inside a 2,400 mm diameter concrete maintenance hole, conveying the pre-treated stormwater from OGS # 2 to the proposed west collection swale (C001) through a 200 mm wide HDPE discharge forcemain;

- One (1) proposed HDPE-lined collection channel C003, located upstream of the oil and grit separator #3 (OGS #3), serving two sub-catchments namely NP4 (0.83 ha) and NP5 (0.76 ha), with a the total area of 1.59 ha, having a bottom width of 0.6 m, a depth of 0.3 m, side slopes equal to 3:1, a bottom slope of 0.21%, and an approximate length of 24.6 m, discharging to an oil and grit separator (OGS #3) as described below;

- **One (1) Oil Grit Separator, OGS # 3 (model EF6 or equivalent),** receiving stormwater runoff from collection channel C003, having a maximum treatment capacity of 49.6 L/s, maximum sediment storage capacity of 3,470 L, maximum oil storage capacity of 610 L, and a total storage volume of 5,070 L, discharging to the proposed east collection swale (C004) as described below;

- East collection swale C004: a HDPE-lined channel having a length of 160 m, a bottom width of 10 m, a depth of 0.5 m, a side slope of 3:1, a bottom slope of 0.21%, and a storage capacity of approximately 1,713 m^3,

receiving overland flow from NP3 (a drainage area of 2.06 ha) and stormwater discharge from OGS #3, with a total contributing drainage area of 3.65 ha, discharging to the proposed dry pond as described below;

- One (1) lined **dry pond** to be constructed on the north side of the site, servicing a total catchment area of 11.9 ha (including Outdoor Salt Storage Area NP01-NP05, Jetty sub-catchment and Plant Area BA01-BA12), designed to provide quality control and quantity control, having an active storage capacity of 17,204 m^3 to hold all runoff (up to and including the 100-year storm event) for up to 168 hours for dilution purposes, 1 m depth with side slopes of 6:1 on pond side banks, equipped with inlet structures consisting of two 3:1 side sloped channels with varying depth and bottom width, outlet structure comprising of a sump pit connected to a proposed pump station equipped with duty and standby pumps, a lined emergency spillway discharging to Outlet #1, a probe placed in the pond for conductivity measurement (chloride concentration monitoring) and a water level monitor, discharging the collected stormwater via a 535 m long and 300 mm diameter HDPE discharge forcemain to a mixing dilution device as described below;

- **One (1) raw water intake pumping system** consisting of multiple pumps operating in parallel to provide the raw water demands of up to 1,400 L/s;

- **One (1) dilution mixing tank** upstream of the Detroit River, with a 100 m^3 mixing volume to provide a minimum hydraulic retention time of one minute, receiving saline stormwater from the dry pond and fresh water from the raw water intake pumping system for dilution mixing, including discharge lines, and a probe and flow meter placed on the discharge header for conductivity (chloride concentration monitoring) and flow measurement, discharging to a proposed discharge channel C006 as described below;

- One (1) discharge channel C006, having a length of 34 m, a bottom width of 2 m, a depth of 1.5 m, a side slope of 3:1, and a bottom slope of 1%, receiving diluted effluent from the mixing tank and discharging via a new outlet (Outlet #7) located south of Outlet #3 to the Detroit River;

Northern Section - Non-process Area

- One (1) By-Pass Culvert, conveying stormwater runoff from farm field areas NA03 (10.3 ha) and NA04 (0.75) to a 610 mm diameter pipe discharging via Outlet #1 to the Detroit River;

- One (1) 330 mm diameter PVC pipe, conveying roof runoff from Warehouse Building #1 BA13 (0.41 ha), Warehouse Building #2 BA15 (0.71) and the mill building BA14 (0.33 ha), discharging via Outlet #3 to the Detroit River;

- One (1) 150 mm diameter PVC pipe, conveying roof runoff from the trestle bridge within the Jetty subcatchment, discharging via Outlet #6 to the Detroit River;

Southern Section - Non-process Area

- **One (1) existing oil grit separator**, consisting of a three-chamber concrete OGS unit having a maximum storage capacity of approximately 4,500 L, receiving stormwater runoff from the storage Area SA04 with a drainage area of 0.64 ha, discharging to a collection channel C45 as described below;

- One (1) collection channel C45 (unlined), having a bottom width of 0.31 m, a depth of 0.42 m, side slopes equal to 3:1, a bottom slope of 0.38%, and an approximate length of 45 m, discharging to an enhanced grassed swale C46 as described below;

- Enhanced grassed Swale C46, collecting stormwater runoff from subcatchments SA01 (1.00 ha), SA02 (1.95 ha), SA03 (2.72 ha), and channel C45, with a total catchment area of 6.85 ha, having a bottom width of approximately 4.5 m, a maximum side slope of 3:1, a depth of 0.50 m, and an approximate length of 158 m, with an average longitudinal slope of 0.38%, discharging via an existing 1 m diameter culvert to an existing channel C48 as described below;

- Enhanced grassed Swale C13, collecting stormwater runoff from the site access road SA09 (0.75 ha) and any spill over from the east pay parking lot SA08, having a bottom width of approximately 2 m, a maximum side slope of 4:1, and a depth of 0.30 m, and an approximate length of 110 m, with an average longitudinal slope of 0.39%, discharging via an existing 1 m diameter culvert to an existing channel C48 as described below;

- One (1) collection channel C48, having a bottom width of 1 m, a depth of 1.5 m, side slopes equal to 3:1, a bottom slope of 0.53%, and an approximate length of 85 m, discharging to an existing channel C54 as described below;

- Enhanced grassed Swale C53, collecting stormwater runoff from the site access road SA05 (0.04 ha), SA06 (0.10 ha), and SA07 (0.08 ha) for a total contributing drainage area of 0.22 ha, having a bottom width of approximately 1 m, a maximum side slope of 4:1, and a depth of 0.63 m, and an approximate length of 65 m, with an average longitudinal slope of 0.54%, discharging to an existing channel C54 as described below;

- One (1) collection channel C54, collecting stormwater runoff from C53, C48 and overland flow from SA13 (1.47 ha) and SA10 (0.18 ha) with a total contributing drainage area of 9.48 ha, having a bottom width of 1 m, a depth of 1.5 m, side slopes equal to 3:1, a bottom slope of 0.56%, and an approximate length of 170 m, discharging via Outlet #5 to Detroit River;

including erosion/sedimentation control measures during construction and all other controls and appurtenances essential for the proper operation of the aforementioned Works;

all in accordance with the submitted supporting documents listed in Schedule "A" forming part of this Approval.

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

"Approval" means this entire document including the application and any supporting documents listed in any schedules in this Approval;

"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 Windsor Area Office/Sarnia District Office of the Ministry*;*

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

"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 K+S Windsor Salt Ltd. and its successors and assignees;

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

"Works" means the sewage works described in the Owner's application, and this 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 PROVISIONS

(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.

(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 approval from the local conservation authority necessary to construct or operate the 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

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 the Owner;

(c) change of partners where the Owner 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. B17 shall be included in the notification to the District Manager;

(d) change of name of the corporation where the Owner 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 in ownership to the municipal, i.e. assumption of the Works, the Owner shall notify the succeeding owner in writing of the existence of this Approval, and a copy of such notice shall be forwarded to the District Manager and the Director.

4. EFFLUENT LIMIT

(1) The Owner shall design, construct, operate and maintain the Works with the intent that the concentration of chlorides in the discharge to the Detroit River is maintained at 1,500 milligrams per litre or less.

5. OPERATION AND MAINTENANCE

(1) The Owner shall ensure that at all times, the Works and related equipment and appurtenances which are installed or used to achieve compliance with this Approval are properly operated and maintained according to the manufacturer's recommendations.

(2) The Owner shall prepare an operations manual for the Works before commencement of operation of any part of the works, that includes, but not necessarily 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 employed to detect when maintenance is necessary;

c. repair and maintenance programs, including the frequency of repair and maintenance for the Works;

d. procedures for the inspection and calibration of monitoring equipment;

e. contingency plans and procedures for dealing with equipment breakdowns, potential spills and any other abnormal situations including chloride limit exceedances, including notification of the District Manager; and

f. procedures for receiving, responding and recording public complaints, including recording any followup actions taken.

(3) The Owner shall maintain the operations manual current. Upon request, the Owner shall make the manual available to Ministry staff.

(4) Before the commencement of operation any part of the Works, the Owner shall prepare Best Management Practice Plan and provide a copy of this Plan to the District Manager. The Best Management Practice Plan shall outline the following procedures:

(a) procedures to ensure materials stored on site in a manner to minimize contact of stored materials with precipitation;

(b) procedures to avoid placing materials in low areas that may be susceptible to seasonal pooling of water; and

(c) off-loading procedures from ships and loading and shipping procedures onto trucks.

(5) Notwithstanding any other Condition in this Approval, the Owner shall conduct visual inspection to ensure that the pond does not contain oil or any other substance in amounts sufficient to create a visible film, sheen or foam.

(6) The Owner shall conduct quarterly inspection of the Works and, if necessary, clean and maintain the

Works to prevent the excessive build-up of sediments and/or vegetation.

(7) Sewage works servicing the process areas including stormwater pond, channels, ditches and overflow spillway shall be constructed to manufacturer's specifications.

6. MONITORING

(1) The Owner shall, upon issuance of the ECA, commence the groundwater monitoring program as specified in Table 3.

(2) The Owner shall, upon commencement of operation of the Works, carry out a surface water (including stormwater) monitoring program as per Table 1 and Table 2.

(3) Samples shall be collected and analyzed at the following sampling point(s), at the sampling frequencies and using the sample type specified for each parameter listed:

Table 1 - On-site Stormwater Monitoring	
Sampling Locations	1. SW-4-19: Monitor surface water flow from Outlet #3 2. SW-5-19: Monitor surface water flow from Outlet #2 3. SW-6-19: Monitor surface water flow from Outlet #1 4. Monitor surface water flow from Outlet #7
Frequency and Sample Type	Up to a maximum of one sampling event per week during discharge events for the first 12 months. Thereafter quarterly during discharge events Sample Type: Grab samples
Parameters	Chloride *Cyanide (Total, Free and Weak Acid Dissociable) *Ontario Regulation 153 Metals

Note: * Cyanide and Metals to be tested once per month for the first 12 months and then reduced to quarterly.

Table 2 - Off-site Surface Water Monitoring	
Sampling Locations	1. SW-7-19: Monitor Surface Water within the Detroit River upgradient of site 2. SW-8-19: Monitor Surface Water within the Detroit River adjacent to site 3. SW-9-19: Monitor Surface Water within the Detroit River downgradient of site 4. SW-10B-21: Monitor Surface Water flow from salt storage piles to the east 5. SW-12-19: Monitor Surface Water adjacent to the fill material area.
Frequency and Sample Type	Up to a maximum of one sampling event per week during discharge events for the first 12 months. Thereafter quarterly during discharge events Sample Type: Grab samples
Parameters	Chloride *Cyanide (Total, Free and Weak Acid Dissociable) *Ontario Regulation 153 Metals

Note: * Cyanide and Metals to be tested once per month for the first 12 months and then reduced to quarterly.

Table 3 - Groundwater Monitoring	
Sampling Locations	At the following groundwater monitoring wells: MW-1-19, MW-3-19, MW-4A-19, MW-4B-19, MW-5-19, MW-7-19, MW-8-19, MW-10-19, MW-11-19, MW-12-19, MW-13-19, MW-14-19, MW-15-20, MW-16-19, MW-18-01, MW-18-02, MW-9, MW-12, MW-15, MW-17-21, MW-18-21, MW19-21, MW-20-21
Frequency and Sample Type	Quarterly and grab samples
Parameters	Water Level, Chloride Cyanide (Total, Free and Weak Acid Dissociable) Ontario Regulation 153 Metals

(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;

(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; and,

(c) in respect of any parameters not mentioned in (a) or (b), the written approval of the District Manager,which approval shall be obtained prior to sampling.

(5) The measurement frequency specified in this Condition, Subsection (1), above, and monitoring parameters specified in Subsections (3), above, may, after five (5) years of monitoring in accordance with this Condition, be modified by the Director in writing from time to time.

(6) The measurement frequency specified in this Condition, Subsection (2), above, and monitoring parameters specified in Subsections (3), above, may, after five (5) years of operation of the Works and monitoring in accordance with this Condition, be modified by the Director in writing from time to time.

7. TEMPORARY EROSION AND SEDIMENT CONTROL

(1) The Owner shall install and maintain temporary sediment and erosion control measures during construction and conduct inspections once every **two (2) weeks** and after each significant storm event (a significant storm event is defined as a minimum of 25 mm of rain in any 24 hours period). The inspections and maintenance of the temporary sediment and erosion control measures shall continue until they are no longer required and at which time they shall be removed and all disturbed areas reinstated properly.

(2) The Owner shall maintain records of inspections and maintenance which shall be made available for inspection by the Ministry, upon request. The record shall include the name of the inspector, date of inspection, and the remedial measures. if any, undertaken to maintain the temporary sediment and erosion control measures.

(3) The Owner shall have the documentation stored onsite and make the documentation available to members of the public upon request.

8. REPORTING

(1) One week prior to the start up of the operation of any part of the Proposed Works, the Owner shall notify the District Manager (in writing) of the pending start up date.

(2) The Owner shall, upon request, make all manuals, plans, records, data, procedures and supporting documentation available to Ministry staff.

(3) In addition to the obligations under Part X of the *Environmental Protection Act* , 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 submit the quarterly results of the monitoring program required in Condition 6 no later than forty-five (45) days after the end of each Quarter. This quarterly reporting requirement may, after three (3) years of reporting in accordance with this Condition, be modified by the Director in writing to reduce the reporting frequency.

(5) The Owner shall prepare and submit a performance report to the District Manager on an annual basis within 60 days following the end of the period being reported upon. The first such report shall cover the first annual period following the issuance of this Approval and subsequent reports shall be submitted to cover successive annual periods following thereafter. The reports shall contain, but shall not be limited to, the following information:

(a) a summary and interpretation of all monitoring data, including an overview of the success and adequacy of the Works;

(b) a description of any operating problems encountered and corrective actions taken;

(c) a summary of all inspection, maintenance and clean-out carried out on the stormwater management works;

(d) a summary of all spill or abnormal discharge events; and,

(e) a summary of any Notifications and Contingency Plan undertaken during the reporting period

as required by Condition 5, and a discussion regarding their adequacy.

9. RECORD KEEPING

The Owner shall retain, for a a minimum of three (3) years from the date of their creation, all records and information related to or resulting from the operation, maintenance, inspection and monitoring activities required by this Approval, and make these records available for review by staff of the Ministry upon request, including but not limited to:

(1) All records on the inspection, maintenance and repair of the Works including:

(a) the component of Works on which maintenance and repair occured;

(b) the date and results of each inspection, maintenance and cleaning, including an estimate of the quantity of any materials removed.

(2) All records and information related to or resulting from the monitoring activities required by Condition 6 of this Approval.

(3) All records of any spills as outlined in Condition 8 (3) of this Approval.

10. SPECIAL CONDITION

(1) Within 6 months of the issuance date of this Approval, the Owner shall submit to the District Manager a plan outlining a Control and Impact Benthic Bioassessment study which is to be completed semi-annually (Spring and Autumn) for the first five (5) years. An annual report shall then be submitted to the District Manager prior to March 31st of each year. After two years of sampling and reporting, the Owner can request in writing to the District Manager for a change of the plan to reduce the sampling frequency from semi-annually to annually for the remainder of the five years. Once 5 years of data has been collected and reported, annual benthic monitoring should continue to be undertaken every other year until year 10 to audit the system until the ECA is no longer in force.

(2) By no later than six (6) years after the issuance of this approval, the Owner shall submit a draft Action Plan to the District Manager describing what steps the Owner has completed to-date and what further steps the Owner will investigate and/or undertake to minimize or eliminate stormwater from coming into direct contact with mined salt at the Site.

(3) By no later than eight (8) years after the issuance of this Approval, the Owner shall submit a final copy of the Action Plan identified in Item 10.(2) to the District Manager. Any requests to change or amend this Action Plan after this submission shall be made in writing to District Manager. Upon written agreement with such changes by the District Manager, a dated copy of the amended Action Plan shall be provided back to the District Manager within 1 week of the amendment.

(4) By no later than nine (9) years after the date of issuance of this approval, the Owner shall submit a complete application, with fees, for an Environmental Compliance Approval for Industrial Sewage Works at the Site. This application shall comprehensively address both stormwater and process effluent

at the Site and shall be consistent with the content of the finalized Action Plan identified in Item 10.(3). This application shall be submitted in accordance with the published instructions for such applications available on the Ministry's website or on ECA-application related forms published by the Ministry.

(5) The maximum term of this conditional ECA shall not exceed 10 years.

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 any subsequent Owner of the Works is made aware of the Approval and continue to operate the Works in compliance with it.

4. Condition 4 is imposed to ensure that the effluent discharged from the Works meets the Ministry's effluent quality requirements thus minimizing environmental impact on the receiver.

5. Condition 5 is included to require that the Works be properly operated and maintained such that the environment is protected.

6. Condition 6 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 objectives specified in the Approval and that the Works do not cause any impairment to the receiving watercourse.

7. Condition 7 is included as installation, regular inspection and maintenance of the temporary sediment and erosion control measures is required to mitigate the impact on the downstream receiving watercourse during construction until they are no longer required.

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.

9. Condition 9 is included to require that all records are retained for a sufficient time period to adequately evaluate the long-term operation and maintenance of the Works.

10. Condition 10 is imposed to ensure that the Owner will assess the environmental impact of the site to the receiver and continuously improve the operation to reduce chloride discharge to the receiver.

Schedule A

1. Application for Approval of Industrial Sewage Works, submitted by K+S Windsor Salt Ltd., dated October 15, 2020 and received on October 15, 2020.

2. Stormwater Management Report along with drawings, dated Oct. 13, 2020, prepared by GHD;

3. Memo titled Addition Information, dated December 3, 2020, prepared by Andrew Betts (P.Eng.) from GHD;

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 22nd day of January, 2021

Fariha Pannu, P.Eng.
Director
appointed for the purposes of Part II.1 of the
Environmental Protection Act

YZ/
c: Area Manager, MECP Windsor Area Office
c: District Manager, MECP Sarnia District Office
Andrew Betts, GHD