

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 9928-BVNTJ3

Issue Date: December 19, 2020

Super Sucker Hydro-Vac Service Inc.  
680 Tradewind Dr, No. 11B  
Ancaster, Ontario  
L9G 4V5

**Site Location:** 636 and 648 Hazelhurst Road  
Mississauga City, Regional Municipality of Peel  
L5J 2Z7

*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:*

a liquid soil disposal site

to be used for the processing of the following types of waste:

liquid soil from hydrovac trucks

Note: Use of the site for any other type of waste is not approved under this environmental compliance approval, and requires obtaining a separate approval amending this environmental compliance approval.

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

**"Approval"** means this entire provisional Environmental Compliance Approval document, issued in accordance with Part II.1 of the EPA, and includes any schedules to it, the application and the supporting documentation listed in Schedule "A, as amended from time to time;

**"Design and Operations Report"** means the document describing all on-site operations, procedures and environmental protection measures, further described in the conditions of this Approval;

**"Director"** means any Ministry employee appointed in writing by the Minister pursuant to section 5 of the EPA as a Director for the purposes of Part V of the EPA;

**"District Manager"** means the District Manager of the local district office of the Ministry in which the Site is geographically located;

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

**"Minister"** means the Minister of the Environment, Conservation and Parks, or such other member of the Executive Council, as may be assigned the administration of the EPA under the Executive Council Act, R.S.O. 1990 c. E.25;

**"Ministry"** means the ministry of the Minister;

**"Operator"** means any person, other than the Owner's employees, authorized by the Owner as having the charge, management or control of any aspect of the Site, and includes its successors or assigns;

**"Owner"** means any person that is responsible for the establishment or operation of the Site being approved by this Approval, and includes Super Sucker Hydro-Vac Service Inc. , its successors and assigns;

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

**"PA"** means the Pesticides Act, R.S.O. 1990, c. P.11, as amended;

**"Provincial Officer"** means any person designated in writing by the Minister as a provincial officer pursuant to section 5 of the OWRA or section 5 of the EPA or section 17 of PA;

**"Provincial Water Quality Objectives"** means the Provincial Water Quality Objectives listed in Table 2 of the Ministry's "Water Management: Policies, Guidelines, Provincial Water Quality Objectives" document dated 1994, as amended;

**"Regional Director"** means the Regional Director of the local regional office of the Ministry in which the Site is located;

**"Reg. 347"** means R.R.O. 1990, Regulation 347: General - Waste Management, made under the EPA, as amended from time to time;

**"Site"** means the facility located at 636 and 648 Hazelhurst Road, Mississauga City, Regional Municipality of Peel, L5J 2Z7, authorized by this Approval; and

**"Trained Personnel"** means persons knowledgeable in the following through instruction and/or practice:

- a. relevant waste management legislation, regulations and guidelines;
- b. major environmental concerns pertaining to the material being handled;
- c. occupational health and safety concerns pertaining to the processes and materials being handled;
- d. management procedures including the use and operation of equipment for the processes and materials being handled;
- e. emergency response procedures;
- f. specific written procedures for the control of nuisance conditions;
- g. specific written procedures for management of unacceptable loads;
- h. the requirements of 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**

## **GENERAL**

### **Compliance**

1. The Owner and Operator shall ensure compliance with all the conditions of this Approval and shall ensure that any person authorized to carry out work on or operate any aspect of the Site 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. Any person authorized to carry out work on or operate any aspect of the Site shall comply with the conditions of this Approval.

### **Build, etc. in Accordance**

3. (1) Except as otherwise provided by this Approval, the Site shall be designed, developed, built, operated and maintained in accordance with the application for this Approval, dated November 5, 2019, and the supporting documentation listed in Schedule "A".
  - (2) 1. Construction and installation of the aspects of the Site described in the application for this Approval must be completed within 5 years of the later of:
    - (a) the date this Approval is issued; or
    - (b) if there is a hearing or other litigation in respect of the issuance of this Approval, the date that this hearing or litigation is disposed of, including all appeals.
  2. This Approval ceases to apply in respect of the aspects of the Site noted above that have not been constructed or installed before the later of the dates identified in Condition 3(2)1 above.

### **Interpretation**

4. Where there is a conflict between a provision of any document, including the application, referred to in this Approval, and the conditions of this Approval, the conditions in this Approval shall take precedence.
5. Where there is a conflict between the application and a provision in any documents listed in Schedule "A", the application shall take precedence, unless it is clear that the purpose of the document was to amend the application and that the Ministry approved the amendment.
6. Where there is a conflict between any two documents listed in Schedule "A", other than the application, the document bearing the most recent date shall take precedence.
7. The requirements of this Approval are severable. If any requirement of this Approval, or the application of any requirement of this Approval to any circumstance, is held invalid or unenforceable, the application of such requirement to other circumstances and the remainder of this Approval shall not be affected thereby.

### **Other Legal Obligations**

8. 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; or
  - b. limit in any way the authority of the Ministry to require certain steps be taken or to require the Owner and Operator to furnish any further information related to compliance with this Approval.

### **Adverse Effects**

9. The Owner and Operator shall take steps to minimize and ameliorate any adverse effect (as defined in the EPA) or impairment of water quality resulting from operations at the Site, including such accelerated or additional monitoring as may be necessary to determine the nature and extent of the effect or impairment.

10. Despite an Owner, Operator or any other person fulfilling any obligations imposed by this Approval the person remains responsible for any contravention of any other condition of this Approval or any applicable statute, regulation, or other legal requirement resulting from any act or omission that caused the adverse effect (as defined in the EPA) or impairment of water quality.

### **Change of Owner**

11. The Owner shall notify the Director in writing, and forward a copy of the notification to the District Manager, within 30 days of the occurrence of any of the following changes:

- a. the ownership of the Site
- b. the Owner or Operator of the Site;
- c. the name or address of the Owner or Operator;
- d. the partners, where the Owner or Operator is or at any time becomes a partnership and a copy of the most recent declaration filed under the Partnerships Act, R.S.O. 1990, c. P.5 shall be included in the notification; or
- e. the directors, where the Owner of the Operator is or at any time becomes a corporation, and a copy of the most current information filed as required by the Corporations Information Act, R.S.O. 1990, c. C.39 shall be included in the notification.

12. The Owner shall not terminate the lease for the Site prior to or after closing of the Site unless the Director is notified in advance and sufficient financial assurance is deposited with the Ministry to ensure that the requirements of this Approval will be carried out. In the event of any change in ownership of the Site, the Owner shall notify the successor of and provide the successor with a copy of this Approval, and the Owner shall provide a copy of such notification to the District Manager and the Director.

### **Inspections**

13. No person shall hinder or obstruct a Provincial Officer in the performance of their duties, including any and all inspections authorized by the OWRA, the EPA or the PA of any place to which this Approval relates, and without limiting the foregoing to:

- a. enter upon the premises where the Site is located, or the location where the records required by the conditions of this Approval are kept;
- b. have access to, inspect, and copy any records required by the conditions of this Approval;
- c. inspect the practices, procedures, or operations required by the terms and conditions of this Approval; and
- d. sample and monitor for the purposes of assessing compliance with the conditions of this Approval or the EPA, the OWRA or the PA.

### **Financial Assurance**

14. No later than 20 days from the date of issuance of this Approval, the Owner shall submit financial assurance as defined in Section 131 of the EPA to the Director in the

amount of \$325,800. This financial assurance shall be in a form and amount acceptable to the Director and shall provide sufficient funds to pay for compliance with and performance of any action specified in this Approval, including Site clean-up, monitoring and the disposal of all quantities of waste on-site, closure and post-closure care of the Site and contingency plans for the Site.

15. Commencing on March 31, 2023, and every 3 years thereafter, the Owner shall provide to the Director a re-evaluation of the amount of the financial assurance required to facilitate the actions described under condition 14 above. By March 31 of each year where a re-evaluation is not required to be submitted, the Owner shall prepare a re-evaluation to be kept on-site. Additional financial assurance, if required, must be submitted to the Director within 20 days of written acceptance of the re-evaluation by the Director.

16. 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 60 days before the financial assurance terminates, the financial assurance shall forthwith be replaced by cash.

#### **Information and Record Retention**

17. Any information requested by the Ministry concerning the Site and its operation under this Approval, including, but not limited to, any records required to be kept by this Approval, shall be provided in a timely manner to the Ministry, upon request. Records shall be retained for 7 years unless otherwise authorized in writing by the Director.

18. The receipt of any information by the Ministry or the failure of the Ministry to prosecute any person or to require any person to take any action, under this Approval or under any statute, regulation or other legal requirement, in relation to the information, shall not be construed as:

- a. an approval, waiver, or justification by the Ministry of any act or omission of any person that contravenes any term or condition of this Approval or any statute, regulation or other legal requirement; or
- b. acceptance by the Ministry of the information's completeness or accuracy.

#### **OPERATIONS**

##### **Hours of Operation**

19. (1) Liquid soil may be received at, managed at and shipped from the Site between the hours of 7:00am and 7:00pm, Monday through Saturday, unless otherwise restricted by municipal by-laws.

(2) Notwithstanding Condition 19(1) above, liquid soil generated through emergency activities may be received at the Site 24 hours per day, 7 days per week, unless otherwise restricted by municipal by-laws.

##### **Service Area**

20. No waste other than waste generated in the province of Ontario shall be accepted at the Site.

## **Acceptable Materials**

21. No waste other than liquid soil shall be accepted at the Site.

## **On-Site Management**

22. The Site is approved for the following liquid soil management activities:

(1) The receipt, temporary storage and transfer of liquid soil, processed soil and process water.

(2) The processing of liquid soil using the equipment described in Item 1 of Schedule "A", including the settling of liquid soil, the stockpiling of soil for dewatering and storage purposes, and the screening of solid soils to remove rocks and debris.

(3) The use of polymers and coagulants to remove clay from process waters.

(4) The temporary outdoor stockpiling of processed soil, rock and debris prior to shipment off-site.

## **Receiving and Storage Limits**

23. (1) 1. The amount of liquid soil received at the Site shall not exceed 100 cubic metres per day.

2. Notwithstanding Condition 23(1)1 above, the Owner shall refuse any load if the receipt of that load could reasonably be expected to cause non-compliance with this Approval, including the receipt and storage limitations set out in this Approval.

(2) The amount of material present at the Site at any one time shall not exceed the following:

1. 600 cubic metres of liquid soil;

2. 300 cubic metres of process water; and

3. 3,000 cubic metres of dry material, including soil, rock and debris.

## **Soil Receipt and Handling**

24. (1) Trained Personnel shall supervise all shipments of liquid soil received at the Site. Prior to any shipment being unloaded, Trained Personnel shall review the accompanying information for that shipment and examine the contents of the truck to ensure the liquid soil matches the description provided and that the liquid soil is permitted to be received further to the conditions of this Approval. If any shipment is suspected of containing unapproved waste, that shipment shall be refused and shall not be unloaded at the Site.

(2) If at any time a shipment is discovered to contain unapproved material, the shipment shall be refused and all portions of the shipment that can be recovered shall be removed from the Site.

(3) All liquid soil shall be unloaded directly into the sediment tanks in a manner that prevents spills during transfer.

(4) The Owner shall ensure that:

1. no process water is loaded onto trucks for reuse purposes;

2. no process water is discharged directly to a storm sewer, to any waterbody or any other part of the natural environment, or otherwise in a manner that requires approval under Section 53 of the OWRA, unless such an approval is in effect for the Site; and

3. all process water is otherwise managed in accordance with applicable municipal, provincial and federal requirements, which may include discharge to sanitary sewer as

permitted by the local municipality or disposal of the process water off-site in a facility permitted to receive such material.

(5) Process water that has been tested and that meets the Ministry's Provincial Water Quality Objectives may be utilized on-site as a dust suppressant. Tested water shall be kept segregated from other process waters on-site prior to use.

(6) The following polymers and coagulants may be used to remove clay from process waters:

1. Coreshell 71325;

2. Ultrion 8177;

3. other similar polymers and coagulants approved for use in the clarification of drinking water; and

4. any other polymers and coagulants approved under any Environmental Compliance Approval (Wastewater) for the Site.

(7) Clay that has been removed from process waters using polymers or coagulants shall remain segregated from all other soils on-site, and shall not be sent off-site for reuse.

(8) Soil may only be screened on-site in accordance with an Environmental Compliance Approval (Air), EASR registration or legislative exemption in effect for the equipment used or the activity carried out.

(9) Soils that have been tested shall remain segregated from all other soils on-site.

(10) The Owner shall ensure that all process water is stored in accordance with the Ministry's "Guidelines for Environmental Protection Measures at Chemical and Waste Storage Facilities" document dated May 2007, including the use of spill protection measures.

### **Soil Sampling, Analysis and Reuse**

25. No processed soil shall leave the Site for reuse unless it has been sampled and analysed in accordance with the following:

(1) The Owner shall ensure that the number of samples collected for each stockpile is in accordance with Table 2 of Schedule E in Ontario Regulation 153/04.

(2) 1. The Owner shall ensure that discrete samples are taken and analysed for:

i. metals, including barium, beryllium, boron, cadmium, chromium, cobalt, copper, lead, molybdenum, nickel, silver, thallium, uranium, vanadium, zinc, antimony, arsenic and selenium;

ii. petroleum hydrocarbons (F1, F2, F3, F4 and BTEX)

iii. VOCs;

iv. volatile SVOCs, which include the SVOCs with the Henry's Law constant greater than  $1 \times 10^{-5}$  atmosphere  $\text{m}^3 / \text{mol}$  and/or vapour pressure greater than 0.05 mm Hg and which, for example, are Acenaphthene, Acenaphthylene, Anthracene, Benz(a)anthracene, Cresol (m&p-), Cresol(o-), Fluoranthene, Fluorene, Methylnaphthalene (2-(1-)), Naphthalene, and Phenanthrene;

v. PAHs/ABNs.

2. The Owner may take composite samples of SVOCs with the Henry's Law constant less than  $1 \times 10^{-5}$  atmosphere  $\text{m}^3/\text{mol}$  and/or vapour pressure less than 0.05 mm Hg.

3. The Owner shall ensure that each processed soil load leaving the Site is testing in accordance with Schedule 9 in Reg. 347 ("slump test") to ensure the processed soil is solid.

4. The Owner shall ensure that any additional sampling and analysis specific to the receiving site shall be carried out as required by the local municipality, the local conservation authority and any applicable federal/provincial legislation.

5. Should the receiving site be subject to the requirements set out in O. Regulation 153/04, the Owner shall ensure that any additional sampling and analysis specific to the receiving site shall be carried out as recommended by the Qualified Person for the receiving site.

(3) 1. When determining bulk concentrations of contaminants in the processed soil to verify compliance with the Soil Standards, the testing shall be in compliance with the "Protocol for Analytical Methods Used in the Assessment of Properties under Part XV.1 of the Environmental Protection Act", dated July 1, 2011, as amended and in accordance with the industry standards.

2. The Owner shall submit the samples to an accredited laboratory for the required analysis. All samples shall be handled in accordance with the instructions of the accredited laboratory carrying out the analytical testing.

(4) 1. Processed soil may leave the Site only to be deposited at any one of the following receiving sites:

a. a waste disposal site approved under Part II.1 of the EPA to accept the processed soil;

b. a RSC property within the meaning of O. Regulation 153/04, provided that the processed soil deposition on, in or under the property complies with the requirements set out in section 55 of O. Regulation 153/04;

c. a property that is a pit or quarry under the ARA, if:

i. the Qualified Person has confirmed in writing that the concentrations of constituent contaminants of the processed soil and the deposition of the processed soil at the pit or quarry complies with the requirements of the ARA, and the regulations, the site plan and the conditions of the licence or permit under the ARA; and



ii. the Qualified Person has determined it is appropriate to bring the processed soil to the site and this determination was done with consideration given to the contaminant volumes and loading, the impacts on the existing conditions at the receiving site and the introduction of new contaminants to the receiving site;

d. a property for which a Permit has been issued and the processed soil complies with the requirements outlined in the Permit;

e. a site where the processed soil will be deposited as part of an infrastructure installation/repair project, including road maintenance and pipeline repair projects, provided the soil meets all applicable technical requirements for use as part of the project, and the maximum concentrations of constituent contaminants of the processed soil do not exceed the appropriate Table 2 Soil Standards for the current land use of the project area;

f. a receiving site not already listed in paragraphs (a) through (e) above, provided that the receiving site has been assessed by a Qualified Person and the Qualified Person has confirmed in writing that the maximum concentrations of constituent contaminants of the processed soil do not exceed the following quality criteria:

i. the receiving site's existing average concentrations of said constituents in the soil horizon in which the processed soil is to be deposited, or in the soil horizon of equivalent depth immediately below the fill if the processed soil is to be placed on top of the existing soil surface;

ii. the appropriate Table 2 Soil Standards for the current land use of the receiving site if the said Table 2 Soil Standards are lower than the receiving site's existing average concentrations referred to in paragraph (d) above; or

iii. the appropriate Table 2 Soil Standards for the current land use of the receiving site if a Qualified Person has confirmed in writing that:

A. the Qualified Person has determined it is appropriate to use the applicable Soil Standards for bringing the processed soil to the receiving site; and

B. has determined this with consideration given to the Ministry document "Rationale for the Development of Soil and Ground Water Standards for Use at Contaminated Sites in Ontario, revised version April 15, 2011", including consideration of the factors used in setting the Soil Standards.

2. Notwithstanding Condition 25(4)1 above, the receiving site cannot include a type of property described in section 41.(1) of O. Regulation 153/04.

3. Before shipping any processed soil from the Site, other than a site noted in 25(4)1(e) above, the Owner shall obtain from the receiving site's owner a written confirmation certified by the Qualified Person, that:

- a. the processed soil quality and quantity is appropriate for the receiving site;
- b. the receiving site's owner agrees to accept the processed soil; and
- c. the deposition of the processed soil at the receiving site will not cause an Adverse Effect to human health or the environment.

4 The Qualified Person shall certify that the confirmations required in Condition 25(4)1

above have been based on engineering or scientific opinions made in accordance with generally accepted principles and practices as recognized by members of the environmental engineering or science profession or discipline practising at the same time and in the same or similar location.

### **Signage and Security**

26. A sign shall be posted and maintained at the entrance to the Site in a manner that is clear and legible, and shall include the following information:

1. the name of the Site and Owner;
2. this Approval number;
3. the name of the Operator;
4. the normal hours of operation;
5. the allowed materials that may be accepted at the Site, and any materials explicitly prohibited by conditions of this Approval;
6. a telephone number to which complaints may be directed; and
7. a twenty-four (24) hour emergency telephone number (if different from above).

27. The Site shall be operated and maintained in a secure manner, such that unauthorized persons cannot enter the Site.

### **Design and Operations Report**

28. (1) No later than 30 days from the date of issuance of this Approval, the Owner shall prepare and retain on-site a consolidated Design and Operations Report that includes the following:

1. details of all on-site operations, including drawings showing designated liquid soils, processed soils and process water management areas at the Site, drawings and written descriptions of all liquid soils, processed soils and process water management infrastructure in use at the Site, and written descriptions of all liquid soils, processed soils and process water management activities taking place on-site;
2. details of all environmental protection measures required by the conditions of this Approval, including drawings and written descriptions of infrastructure and written descriptions of procedures; and
3. details of all procedures required by the conditions of this Approval, including written descriptions of staff training procedures, site security procedures, site inspection procedures, complaint response procedures, emergency response procedures and record keeping procedures.

(2) The Design and Operations Report shall be kept up-to-date, with any substantive changes to the Design and Operations Report being submitted to the Director for approval prior to implementation.

### **Staff Training**

29. The Owner shall maintain a training plan to be used to train all employees that operate the Site.

30. The Owner shall ensure that Trained Personnel are available at all times during the hours of operation of this Site, and that Trained Personnel supervise all management of liquid soils, processed soils and process water at the Site.

## **Site Inspection**

31. An inspection of the entire Site and all equipment on the Site shall be conducted each day the Site is in operation to ensure that: the Site is secure; that the operation of the Site is not causing any nuisances; that the operation of the Site is not causing any adverse effects on the environment; and that the Site is being operated in compliance with this Approval. Any deficiencies discovered as a result of the inspection shall be remedied immediately, including temporarily ceasing operations at the Site if needed.

32. A record of the inspections, including the following information, shall be kept in the daily log book:

- a. the name and signature of person that conducted the inspection;
- b. the date and time of the inspection;
- c. a list of any deficiencies discovered;
- d. any recommendations for remedial action; and
- e. the date, time and description of actions taken.

## **Nuisances**

33. The Site shall be operated and maintained such that vermin, vectors, dust, litter, odour, noise and traffic do not create a nuisance. The Owner shall implement the nuisance control measures noted in the application for this Approval as required to address any nuisances.

## **Complaint Response**

34. If at any time the Owner receives a complaint regarding an adverse effect (as defined in the EPA) due to operation of the Site, the Owner shall respond to the complaint according to the following procedure:

(1) The Owner shall record and number each complaint, either electronically or in a separate log book, along with the following information:

1. the nature of the complaint;
2. the name, address and telephone number of the complainant (if provided);
3. the date and time the complaint was received;
4. a description of the weather conditions at the time of the complaint;
5. a description of the liquid soils, processed soils and process water handling activities taking place at the time of the complaint; and
6. a description of the known or suspected activity causing the complaint.

(2) The Owner shall:

1. initiate appropriate steps to determine all possible causes of the complaint;
2. proceed to take the necessary actions to eliminate the cause of the complaint;
3. notify the District Manager of the complaint within 24 hours of receiving the complaint;
4. forward a report to the District Manager, including a copy to the complainant if they have identified themselves, within 24 hours of receiving the complaint that describes the response to the complaint; and
5. forward daily updates to the District Manager until the complaint is resolved.

(3) The Owner shall complete and retain on-site a report written within one (1) week of the complaint date, including:

1. the information required in conditions 35(1) and 35(2) above;
2. a list of the actions taken to resolve the complaint; and
3. recommendations for any remedial measures, managerial changes or operational changes that would reasonably avoid the recurrence of similar incidents in the future.

### **Emergency Response Plan**

35. The Owner shall prepare and provide copies of an emergency response plan to the Fire Department within 30 days of the issuance of this Approval, and shall inform the District Manager in writing within 10 days of receiving acceptance of the plan by the Fire Department.

36. The emergency response plan shall be kept up to date, and a copy shall be retained and accessible to all staff at all times.

37. The equipment, materials and personnel requirements outlined in the emergency response plan shall be immediately available on the Site at all times. The equipment shall be kept in a good state of repair and in a fully operational condition.

38. Each staff member that operates the Site shall be fully trained in the use of the equipment required under the emergency response plan and in the procedures to be employed in the event of an emergency.

39. The Owner shall immediately take all measures necessary to contain and clean up any spill (as defined in the EPA) which may result from the operation of this Site and immediately implement the emergency response plan if required.

### **Closure Plan**

40. A Closure Plan shall be submitted to the Director for approval, with a copy to the District Manager, no later than six (6) months before the planned closure date of the Site. The Closure Plan shall include, at a minimum, a description of the work that will be done to facilitate closure of the Site and a schedule for completion of that work.

41. The Site shall be closed in accordance with the approved Closure Plan.

42. No more than 10 days after closure of the Site, the Owner shall notify the Director, in writing, that the Site is closed and that the approved Closure Plan has been implemented.

### **Daily Log Book**

43. A daily log shall be maintained at the Site, either electronically or in written format, and shall include the following information as a minimum:

1. the date;
2. quantities and sources of all liquid soil received at the Site;
3. quantities and destinations of all liquid soil, processed soil, process water, rock and debris shipped from the Site;
4. a record of all sampling and analysis carried out further to the conditions of this Approval;
5. a record of daily inspections required by this Approval;
6. a record of any process upsets or spills with the potential to enter the natural environment, the nature of the spill or process upset and the action taken for the clean up or correction of the spill, the time and date of the spill or process upset, and for spills, the time that the Ministry and other persons were notified of the spill in fulfilment

of the reporting requirements in the EPA .

7. a record of any refusals, including the types and amounts of waste refused, reasons for refusal and actions taken;

8. a record of all complaints received regarding operations at the Site.

### **Reporting**

44. By March 31, 2021, and on an annual basis thereafter, the Owner shall prepare a written report for the previous calendar year that shall be kept on-site and made available to any Provincial Officer upon request. The report shall include, at a minimum, the following information:

(1) a detailed monthly summary of the type and quantity of all incoming and outgoing liquid soils, processed soils, process water, rock and debris and the destination of all outgoing liquid soils, processed soils, process water, rock and debris along with a summary of all sampling and analysis for outgoing materials;

(2) any environmental and operational problems, that could negatively impact the natural environment (as defined in the EPA), encountered during the operation of the Site and during the facility inspections and any mitigative actions taken;

(3) any changes to the emergency response plan or the Design and Operations Report since the last Annual Report;

(4) any recommendations to minimize environmental impacts from the operation of the Site and to improve Site operations and monitoring programs in this regard.

### **Schedule "A"**

#### **This Schedule forms a part of this Approval:**

1. Environmental Compliance Approval application dated November 5, 2019 signed by Ryan van Hof, General Manager, Super Sucker Hydro-Vac Service Inc., including all supporting documentation.

2. Email dated November 4, 2020 from Ryan van Hof, Super Sucker Hydro-Vac Service Inc., to Andrew Neill, P.Eng., MECP, with additional information on the waste management aspects of the site.

3. Email dated November 18, 2020 from Ryan van Hof, Super Sucker Hydro-Vac Service Inc., to Andrew Neill, P.Eng., MECP, with additional information on site operations, hours of operation, waste amounts, financial assurance, staff training, sediment tank inspection, spill containment, and a revised site plan.

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

1. The reason for the definitions section is to simplify the wording of the subsequent conditions and define the specific meaning of terms as used in this Approval.

2. The reason for Conditions 1, 2, 4, 5, 6, 7, 8, 9, 10 and 13 is to clarify the legal rights and responsibilities of the Owner and Operator.

3. The reason for Condition 3 is to ensure that the Site is operated in accordance with the application and supporting documentation submitted by the Owner, and not in a manner which the Director has not been asked to consider.

4. The reasons for Condition 11 are to ensure that the Site is operated under the

corporate name which appears on the application form submitted for this approval and to ensure that the Director is informed of any changes.

5. The reasons for Condition 12 are to restrict potential transfer or encumbrance of the Site without the approval of the Director and to ensure that any transfer of encumbrance can be made only on the basis that it will not endanger compliance with this Approval.

6. The reason for Conditions 14, 15 and 16 is to ensure that sufficient funds are available to the Ministry to clean up the Site in the event that the Owner is unable or unwilling to do so.

7. The reason for Conditions 17 and 18 is to ensure that appropriate Ministry staff have ready access to the Site for inspection of facilities, equipment, practices and operations required by the conditions in this Approval. This condition is supplementary to the powers of entry afforded a Provincial Officer pursuant to the EPA, OWRA and PA.

8. The reason for Condition 19 is to specify the hours of operation for the Site.

9. The reason for Condition 20 is to specify the approved service area from which liquid soil may be accepted at the Site.

10. The reasons for Conditions 21, 22 and 23 are to specify the types of materials that may be accepted at the Site, the maximum amounts of liquid soil that may be stored at the Site, the maximum rate at which the Site may receive and ship liquid soil and the allowable methods of liquid soil processing based on the Owner's application and supporting documentation.

11. The reason for Condition 24 is to ensure that all liquid soils received at the Site are properly identified and classified to ensure they are managed in a manner that protects the health and safety of people and the environment.

12. The reasons for Condition 25 is to ensure that all processed material is testing and to ensure that any processed material is only sent off-site for reuse to an appropriate receiving facility.

13. The reason for Condition 26 is to ensure that users of the Site are fully aware of important information and restrictions related to Site operations and access under this Approval.

14. The reason for Condition 27 is to ensure the controlled access and integrity of the Site by preventing unauthorized access when the Site is closed and no site attendant is on duty.

15. The reason for Conditions 28 and 33 is to ensure that the Site is operated in a manner which does not result in a nuisance or a hazard to the health and safety of people and the environment.

16. The reason for Conditions 29 and 30 is to ensure that the Site is operated by properly Trained staff in a manner which does not result in a hazard or nuisance to people or the environment.

17. The reason for Conditions 31 and 32 is to ensure that inspections of all Site grounds and infrastructure are carried out on a regular basis, and that detailed records of Site inspections are recorded and maintained for compliance and information purposes.

18. The reason for Condition 34 is to ensure that any complaints regarding Site operations at the Site are responded to in a timely manner.

19. The reasons for Conditions 35, 36, 37, 38 and 39 is to ensure that an Emergency Response Plan and a Fire Safety Plan are developed and maintained at the Site, and that staff are properly trained in the operation of the equipment used at the Site and emergency response procedures.

20. The reason for Conditions 40, 41 and 42 is to ensure that the Site is closed in accordance with Ministry standards and to protect the health and safety of the public and the environment.

21. The reason for Condition 43 is to provide for the proper assessment of effectiveness and efficiency of site design and operation, their effect or relationship to any nuisance or environmental impacts, and the occurrence of any public complaints or concerns. Record keeping is necessary to determine compliance with this Approval, the EPA and its regulations.

22. The reason for Condition 44 is to ensure that regular review of site development, operations and monitoring data is documented and any possible improvements to site design, operations or monitoring programs are identified. An annual report is an important tool used in reviewing site activities and for determining the effectiveness of site design.

*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](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 19th day of December,  
2020

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

AN/  
c: District Manager, MECP Halton-Peel  
Gerrit Vaniperen, Super Sucker Hydro-Vac Service Inc.