

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 0698-C37JDB  
Issue Date: July 21, 2021

Shire Corporation  
1693 Colborne St E  
Brantford, Ontario  
N3T 5L4

Site Location: Lot 11, Concession Range 3  
Sarnia City, County of Lambton

*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 waste disposal site, including the transfer and processing (decanting), associated with the use and operation of two (2) storage lagoons covering an area of 1.81 hectares within a total site area of 12.88 hectares.

To be used for the temporary storage of the following types of waste:

Non-Agricultural Sourced Materials (NASM) limited to Categories 1, 2, and 3 and contingency storage of waste activated sludge, biosolids or wastewater from the City of Sarnia WWTP.

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 Environmental Compliance Approval and any Schedules to it, including the application and supporting documentation listed in Schedule "A" issued under the EPA;

"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 II.1 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;

"Ministry" means the Ontario Ministry of the Environment, Conservation and Parks;

“NASM” means Non-Agricultural Sourced Materials as defined in Ontario Regulation 267/03: General under the NMA;

“NMA” means the Nutrient Management Act, 2002, S.O. 2002, c. 4, as amended;

“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;

"Owner" means any person that is responsible for the establishment or operation of the Site being approved by this Approval, and includes Shire Corporation and 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;

"Regional Director" means the Regional Director of the local Regional Office of the Ministry in which the Site is located;

“Regulation 347" means Regulation 347, R.R.O. 1990, General - Waste Management, made under the EPA, as amended;

“SDWA” means the Safe Drinking Water Act, 2002, S.O. 2002, c. 32, as amended;

"Sensitive Use" means residential, commercial, community, or institutional uses, and locations at which people regularly congregate;

"Site" means the location in which the operations being approved under this Approval are performed, namely Lot 11, Concession Range 3, Sarnia City, County of Lambton; and

“Trained Personnel” means personnel knowledgeable in the following through instruction and/or practice:

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

## **PART 1 - GENERAL**

### **Compliance**

- 1.1 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.
- 1.2 Any person authorized to carry out work on or operate any aspect of the Site shall comply with the conditions of this Approval.

### **In Accordance**

- 1.3 Except as otherwise provided by this Approval, the Site shall be designed, developed, built, operated and maintained in accordance with the documentation listed in the attached Schedule "A"..
- 1.4 (a) Construction and installation of aspects described in Schedule "A" must be completed within 5 years of the later of:
1. the date this Approval is issued; or
  2. 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; and
- (b) 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 1.4(a).

### **Interpretation**

- 1.5 Where there is a conflict between a provision of any document listed in Schedule "A" in this Approval, and the conditions of this Approval, the conditions in this Approval shall take precedence.
- 1.6 Where there is a conflict between the application and a provision in any document 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 the Ministry approved the amendment.
- 1.7 Where there is a conflict between any two documents listed in Schedule "A", the document bearing the most recent date shall take precedence.
- 1.8 The conditions of this Approval are severable. If any condition of this Approval, or the application of any condition of this Approval to any circumstance, is held invalid or unenforceable, the application of such condition to other circumstances and the remainder of this Approval shall not be affected thereby.

## **Other Legal Obligations**

- 1.9 The issuance of, and compliance with, 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; and
  - (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 Effect**

- 1.10 The Owner and Operator shall take steps to minimize and ameliorate any adverse effect on the natural environment or impairment of water quality resulting from the present and historical operations at the Site. Such steps may include accelerated or additional monitoring as may be necessary to determine the nature and extent of the effect or impairment.
- 1.11 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 to the natural environment or impairment of water quality.
- 1.12 At no time shall the Owner or Operator allow the discharge of a contaminant that causes or is likely to cause an adverse effect.

## **Change of Ownership**

- 1.13 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 changes in the following information:
- (a) the ownership of the Site;
  - (b) the Operator of the Site;
  - (c) the address of the Owner or Operator; and
  - (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 Business Names Act, R. S. O. 1990, c. B.17, shall be included in the notification.
- 1.14 No portion of this Site shall be transferred or encumbered prior to or after closing of the Site unless the Director is notified in advance to ensure that these conditions will be carried out.
- 1.15 In the event of any change in ownership of the Site, other than change to a successor municipality, 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 the notification to the District Manager and the Director.

## **Inspections by the Ministry**

- 1.16 No person shall hinder or obstruct a Provincial Officer from carrying out any and all inspections authorized by the OWRA, the EPA, the PA, the SDWA or the NMA, of any place to which this Approval relates, and without limiting the foregoing:

- (a) to enter upon the premises where the approved works are located, or the location where the records required by the conditions of this Approval are kept;
- (b) to have access to, inspect, and copy any records required to be kept by the conditions of this Approval;
- (c) to inspect the Site, related equipment and appurtenances;
- (d) to inspect the practices, procedures, or operations required by the conditions of this Approval; and
- (e) to sample and monitor for the purposes of assessing compliance with the terms and conditions of this Approval or the EPA, the OWRA, the PA, the SDWA or the NMA.

### **Information and Record Retention**

- 1.17 (a) Except as authorized in writing by the Director, all records required by this Approval shall be retained at the Owner's Office for a minimum of five (5) years from their date of creation.
- (b) The Owner shall retain all documentation listed in Schedule "A" for as long as this Approval is valid.
- (c) All information and logs required in Conditions 7.1, 7.4, 7.5, and 7.6 shall be kept at the Site or the Owner's Office until they are included in the Annual Report.
- (d) The Owner shall retain employee training records as long as the employee is working at the Site.
- (e) The Owner shall make all of the above documents available for inspection upon request of Ministry staff.
- 1.18 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; and
  - (b) acceptance by the Ministry of the information's completeness or accuracy.
- 1.19 The Owner shall ensure that a copy of this Approval, in its entirety and including all documentation listed in Schedule "A", are retained at the Site or the Owner's Office at all times.
- 1.20 Any information related to this Approval and contained in Ministry files may be made available to the public in accordance with the provisions of the Freedom of Information and Protection of Privacy Act, RSO 1990, CF-31.

### **Financial Assurance**

- 1.21 Within thirty (30) days of issuance of this Approval the Owner shall submit to the Director, Financial Assurance as defined in Section 131 of the Act, for the amount of \$1,334,947.00. This Financial Assurance shall be in a form acceptable to the Director and shall provide sufficient funds for the removal and transportation of all quantities of waste on the Site at any one time.
- 1.22 Commencing on March 31, 2024 and every three (3) years thereafter, the Owner shall submit to the Director, a re-evaluation of the amount of Financial Assurance to implement the actions required under Condition 1.21. The re-evaluation shall include an assessment based on any new information relating to

the environmental conditions of the Site and shall include the costs of additional monitoring and/or implementation of contingency plans required by the Director upon review of the closure plan and annual reports. The Financial Assurance must be submitted to the Director within ten (10) days of written acceptance of the re-evaluation by the Director.

- 1.23 Commencing on March 31, 2022, the Owner shall prepare and maintain at the Site an updated re-evaluation of the amount of Financial Assurance required to implement the actions required under Condition 1.21 for each of the intervening years in which a re-evaluation is not required to be submitted to the Director under Condition 1.22. The re-evaluation shall be made available to the Ministry, upon request.
- 1.24 The amount of Financial Assurance is subject to review at any time by the Director and may be amended at their discretion. If any Financial Assurance is scheduled to expire or notice is received, indicating Financial Assurance will not be renewed, and satisfactory methods have not been made to replace the Financial Assurance at least sixty (60) days before the Financial Assurance terminates, the Financial Assurance shall forthwith be replaced by cash.

## **PART 2 - OPERATIONS**

### **Operation**

- 2.1 The Site shall be operated and maintained at all times in accordance with the EPA, Regulation 347, NMA and the conditions of this Approval.
- 2.2 The District Manager may at any time request changes to site operation, preparation, development, closure, monitoring, contingency planning or other conditions to protect the public and the environment, and before implementation of these requested changes, this ECA shall be presented for amendment by the Director.

### **Service Area**

- 2.3 Only NASM waste generated within the Province of Ontario may be received at the Site.

### **Approved Waste Types and Capacity**

- 2.4 The Company shall ensure that:
- (a) the Site does not accept any waste other than NASM waste limited to Categories 1, 2, and 3;
  - (b) the Site does not accept more than 1,500 cubic metres of waste per day;
  - (c) at no time shall the amount of waste stored in either Lagoon # 1 or Lagoon #3 exceed 16,500 cubic metres of waste;
  - (d) at no time shall the amount of waste stored at the Site exceed 33,000 cubic metres of waste; and
  - (e) a minimum freeboard of 30 cm shall be maintained in Lagoon #1 and Lagoon #3 at all

times.

- 2.5 The Site may be used for contingency storage by the City of Sarnia in the event that the City requires temporary storage for waste activated sludge, municipal biosolids or wastewater during facility repairs upgrades or emergency situations.
- 2.6 Any waste stored in a lagoon as part of contingency storage for the City of Sarnia, will be sent back to the City for treatment and disposal at the City of Sarnia Wastewater Treatment Plant or disposed of at another facility approved for the treatment and disposal of the waste, once the situation requiring contingency storage has been resolved by the City.

### **Operating Hours**

- 2.7 The Site is permitted to operate twenty-four (24) hours per day, seven (7) days per week.

### **Nuisance Control**

- 2.8 If at any time problems such as odours, dust, litter, noise, vectors, vermin, rodents, or other nuisances are found at the Site, the Owner shall take appropriate, immediate remedial action to address the problem.

### **Odour Mitigation**

- 2.9 The Owner shall ensure that all liquid NASM materials delivered to the site will be off loaded through a submerged inlet pipe that prevents surface disturbances in the lagoons in order to minimize odours during material deliveries to the site. The following measures shall be undertaken:
- (a) mixing will not occur if wind speeds exceed 30 km/hr or wind direction is towards any Sensitive Use;
  - (b) in the event that nuisance odours do occur at the site, a layer of chopped straw will be placed on the surface of the lagoons to reduce the release of odours;
  - (c) submerged mixing systems will be used to the extent possible for mixing the lagoons to prevent the production of odorous aerosol droplets;
  - (d) mixing equipment used for the lagoons will have sufficient capacity to provide adequate mixing within a 12-hour period to reduce the time period that odours may be generated;
  - (e) mixing will only occur between 7:00 am and 7:00 pm; and
  - (f) neighbouring properties that may be affected by odour during lagoon mixing events will be notified prior to any mixing event. The neighbouring properties will be notified of the date(s) and duration that mixing will occur.

### **NASM Receiving Sites**

- 2.10 The Owner shall ensure that all final disposal sites have NASM Plans approved by the Ontario Ministry of Agriculture, Food and Rural Affairs under the Nutrient Management Act.

- 2.11 Notwithstanding Condition 2.10, if the waste stored does not meet NASM requirements the Owner shall send the contents of the storage lagoons to the City of Sarnia Wastewater Treatment Plant or a site approved by the Ministry to receive the waste for final disposal.

### **NASM Testing Requirements**

- 2.12 The Owner shall conduct sampling of the lagoons prior to land applying in accordance with Ontario Regulation 267/03: General under the NMA.

### **Signage and Security**

- 2.13 The Owner shall install and maintain a sign at the main entrance/exit to the Site on which, at a minimum, is legibly displayed the following information:
- (a) the name of the Site and Owner;
  - (b) the number of the ECA;
  - (c) the operating hours of the Site;
  - (d) the type of wastes that are approved for receipt at the Site;
  - (e) the telephone number to which complaints may be directed;
  - (f) a twenty-four (24) hour emergency telephone number (if different from above); and
  - (g) a warning against dumping outside the Site.
- 2.14 The Site shall be operated and maintained in a secure manner so that unauthorized persons cannot enter. During non-operating hours, the Site entrance and exit gates shall be locked and the Site shall be secured against access by unauthorized persons.

### **Precast Concrete Holding Tanks**

- 2.15 The Owner shall ensure that the 6,000 Igal (Lagoon #1) and 10,000 Igal (Lagoon #3) precast concrete storage tanks are managed in the following manner:
- (a) commencing in the year 2022 and every second year thereafter, the tanks are leak-tested, drawn-down, and visually inspected to evaluate the structural integrity of the tank and liner system;
  - (b) are operated to ensure that a minimum of 0.5 metres of freeboard is maintained in the wastewater holding tank at all times; and
  - (c) for each day the Site is open, the depth of liquid waste in the holding tanks shall be both measured and recorded, as required in Condition 7.6, at the beginning and end of each day.

## **PART 3 - SURFACE and GROUNDWATER MONITORING**

### **Surface Water and Groundwater Compliance**

- 3.1 The Site shall be maintained in such a way as to ensure compliance with RUG B-7 for the protection of the groundwater at the Site;

### **Surface Water and Groundwater Monitoring**



- 3.2 The Owner shall monitor ground water in accordance with the environmental monitoring program outlined in Schedule "B".
- 3.3 A certified Professional Geoscientist or Professional Engineer possessing appropriate hydrogeologic training and experience shall execute or directly supervise the execution of the groundwater monitoring and reporting program.

**Groundwater Wells and Monitors**

- 3.4 The Owner shall ensure that all groundwater monitoring wells located at the site including those which form part of the monitoring program are properly capped, locked and protected from damage.
- 3.5 Any groundwater monitoring well that is damaged shall be assessed, repaired, replaced or decommissioned by the Owner, as required.
  - (a) The Owner shall repair or replace any monitoring well which is destroyed or in any way made to be inoperable for sampling such that no more than one regular sampling event is missed; and
  - (b) All monitoring wells which are no longer required as part of the groundwater monitoring program, and have been approved by the Director for abandonment, shall be decommissioned by the Owner, as required, in accordance with Regulation 903, to prevent contamination through the abandoned well. A report on the decommissioning of the well shall be included in the Annual Report for the period during which the well was decommissioned.

**Changes to the Surface Water, Groundwater Monitoring and Trigger Mechanism and Contingency Plans**

- 3.6 The Owner may request to make changes to the monitoring programs to the District Manager in accordance with the recommendations of the annual report. The Owner shall make clear reference to the proposed changes in a separate letter that shall accompany the annual report.
- 3.7 Within fourteen (14) days of receiving the written correspondence from the District Manager confirming that the District Manager is in agreement with the proposed changes to the environmental monitoring program, the Owner shall forward a letter identifying the proposed changes and a copy of the correspondences from the District Manager and all other correspondences and responses related to the changes to the monitoring program, to the Director requesting the Approval be amended to approve the proposed changes to the environmental monitoring plan prior to implementation.
- 3.8 In the event any other changes to the environmental monitoring program are proposed outside of the recommendation of the annual report, the Owner shall follow current Ministry procedures for seeking approval for amending the Approval.

**PART 4 - EMPLOYEE TRAINING**

- 4.1 A training plan for all employees that operate any aspect of the Site shall be developed and implemented by the Owner or the Operator. Only Trained Personnel shall operate any aspect of the Site or carry out

any activity required under this Approval.

- 4.2 The Owner shall develop and maintain a training plan for current and new Site employees and shall ensure that all Site employees have been adequately trained and receive on-going training with respect to the following:
- (a) terms, conditions, and operating requirements of this Approval;
  - (b) an outline of the responsibilities of employees for each waste management activity undertaken at the Site;
  - (c) operation and management of the Site, or area(s) within the Site, in accordance with the specific job requirements of each individual employee, including but not limited to procedures for receiving, screening and identifying waste, refusals, handling and temporarily storing wastes;
  - (d) the operation, inspection, and maintenance of the Site, or area(s) within the Site, with respect to the approved design and operations documents listed in Schedule "A";
  - (e) record keeping requirements specific to each area and waste management activity;
  - (f) environmental concerns related to the type of waste handled in each area of the Site;
  - (g) determining the location of all field drainage tiles or piped municipal drains within 300 metres of any trench;
  - (h) occupational health and safety concerns related to waste management at the Site;
  - (i) emergency procedures and contingency plans in cases of fire, spills, off-site impacts and any other emergency situations; and
  - (j) a record of the active employees who have completed the training plan.

## **PART 5 - COMPLAINTS RESPONSE PROCEDURE**

### **Spills Response and Reporting**

- 5.1. All spills, as defined by the EPA, shall be immediately reported to the Ministry's Spills Action Centre at 1-800-268-6060 and shall be recorded in a written log or an electronic file format, and include the following information:
- (a) the type and amount of material spilled;
  - (b) source and cause of spill;
  - (c) a description of how the material was cleaned up and stored;
  - (d) the location and time of final disposal, if any; and
  - (e) remedial measures taken to prevent future spills of the same nature.
- 5.2 The Owner shall submit to the District Manager a written report within five (5) business days outlining the nature of the spill, remedial measure(s) taken and the measure(s) taken to prevent future occurrences at the Site.
- 5.3 The Owner shall maintain an updated Contingency Plan that describes actions that will be taken in the event of a spill, leak or other incident that could lead to adverse off-site water quality impacts.

### **Complaint Response**

- 5.4 If at any time, the Owner receives complaints regarding the operation of the Site, the Owner shall respond to these complaints according to the following procedure:
- (a) Record and number each complaint, either electronically or in a separate log book, and shall include the following information;
  - (b) the nature of the complaint;
  - (c) if complaint is odour or nuisance related, the weather conditions and wind direction at the time of the complaint;
  - (d) the name, address and the telephone number of the complainant (if provided);
  - (e) the time and date of the complaint;
  - (f) The Owner, upon notification of the complaint, shall initiate appropriate steps to determine all possible causes of the complaint, proceed to take the necessary actions to eliminate the cause of the complaint and forward a formal reply to the complainant and District Manager;
  - (g) The Owner shall complete and retain on-site a report written within one (1) week of the complaint date, listing the actions taken to resolve the complaint and any recommendations for remedial measures, and managerial or operational changes to reasonably avoid the recurrence of similar incidents; and
  - (h) The District Manager shall be notified forthwith of any complaints received by the Owner for this Site.

## **PART 6 - EMERGENCY RESPONSE**

- 6.1 All Spills as defined in the EPA shall be immediately reported to the **Ministry's Spills Action Centre at 1-800-268-6060** and shall be recorded in the log book as to the nature of the emergency situation, and the action taken for clean-up, correction and prevention of future occurrences.
- 6.2 In addition, the Owner shall submit to the District Manager a written report within five (5) business days of the emergency situation, outlining the nature of the incident, remedial measures taken, handling of waste generated as a result of the emergency situation and the measures taken to prevent future occurrences at the Site.
- 6.3 All wastes resulting from an emergency situation shall be managed and disposed of in accordance with Reg. 347.
- 6.4 All equipment and materials required to handle the emergency situations shall be:
- (a) kept readily accessible at all times that landfill operations are occurring at the Site; and
  - (b) adequately maintained and kept in good repair.
- 6.5 The Owner shall ensure that the emergency response personnel are familiar with the use of such equipment and its location(s).

## **PART 7 - INSPECTIONS, RECORD KEEPING AND REPORTING**

## **Log Book**

- 7.1 A log shall be maintained in written or electronic format and shall include the following information:
- (a) date and time that activities occurred at the Site;
  - (b) the area of the Site in which activities occurred; and
  - (c) a record of inspections or monitoring events that were conducted;
- 7.2 Any information requested, by the Director or a Provincial Officer, 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 to the Ministry upon request.

## **Inspections**

- 7.3 The Owner shall ensure that Site inspections occur once each day that a delivery is made to one of the two lagoons or at a minimum on a weekly basis and are undertaken by Trained Personnel. The areas to be inspected shall include, but not be limited to the following to ensure that:
- (a) the Site is secure;
  - (b) the operation of the Site is not causing any nuisances;
  - (c) the operation of the Site is not causing any effects on the environment;
  - (d) the Site is being operated in compliance with this Approval.
  - (e) condition of the lagoons, berms, equipment, and associated infrastructure;
  - (f) presence of any ponded water at the Site;
  - (g) condition of the on-site roads for evidence of excessive erosion and fugitive dust emissions;
  - (h) presence of litter at the Site's perimeter and litter fences;
  - (i) presence of vector, vermin and animals;
  - (j) condition of the on-site facilities, the gate and its lock and the signs required by this Approval;
- 7.4 Any deficiencies discovered as a result of the inspections shall be remedied immediately.
- 7.5 An electronic or written record of the inspections shall be maintained and shall include the following:
- (a) the name and signature of person that conducted the inspection;
  - (b) the date and time of the inspection;
  - (c) the list of all deficiencies discovered during the inspections required by Condition 7.3;
  - (d) the recommendations for remedial action to address the identified deficiencies; and
  - (e) the date, time and description of the remedial actions taken.
- 7.6 The Owner shall maintain a log which records on each operating day, the following information at a minimum:
- (a) date of record;
  - (b) quantities of waste received at the Site;
  - (c) quantities of waste transferred from the Site;
  - (d) quantity and destination of NASM waste transferred from the Site; and
  - (e) end of day reconciliation of the amount of waste present on Site.

## **Annual Report**

- 7.7 A written report (the “Annual Report”), prepared by a licensed independent Professional Geoscientist or Professional Engineer shall be completed annually. The Annual Report shall be submitted to the District Manager by March 30th of the year following the period being reported upon.
- 7.8 The Annual Report shall include, but not be limited to, the following information:
- (a) the results and an interpretive analysis of the results of all groundwater monitoring, including an assessment of the need to amend the monitoring programs;
  - (b) a site plan or plans of the entire site illustrating significant site features such as lakes, rivers, seeps, ponds, ditches, collection and treatment facilities, roadways, and all of the sampling locations;
  - (c) a cross section of the subsurface soils, stratigraphy, displaying the groundwater elevations;
  - (d) a groundwater contour map showing the groundwater elevations for each well and the groundwater flow directions;
  - (e) temporal graphs of the leachate indicator parameters for each groundwater monitoring well;
  - (f) a copy of the borehole logs for all groundwater monitoring wells;
  - (g) an assessment of the operation and performance of all engineered facilities, the need to amend the design or operation of the Site, and the adequacy of and need to implement the contingency plans;
  - (h) tables summarizing all historical and current water quality data and analytical results for all parameters for each groundwater and surface water monitoring station in a usable format such as Microsoft Excel;
  - (i) temporal graphs of the monitoring parameters for each groundwater and surface water monitoring station that includes all historical and current surface water quality data;
  - (j) a summary of any complaints received and the responses made;
  - (k) a discussion of any operational problems encountered at the Site and corrective action taken;
  - (l) any changes, approved by the Ministry, to the Site's design, operation, monitoring or closure plans since the last annual report submission;
  - (m) a report on the status of all monitoring wells and a statement as to compliance with Reg. 903; and
  - (n) any other information with respect to the Site which the District Manager may require from time to time.

## **Design and Operations Manual (D&O Manual)**

- 7.9 The Owner shall operate the Site in accordance with the D&O Manual, also referred to as "Supporting Information" document, in Item #1 of Schedule "A" and ensure it is kept updated as required. The D&O Manual shall include, but not be limited to:
- (a) approved design of the lagoons including the footprint and capacity which is based on a site plan;
  - (b) location and description of the access road and the on-site roads at the Site;

- (c) description and location of the fencing and the gate(s);
- (d) screening of the Site from the public;
- (e) the operating hours of the Site;
- (f) the equipment used and the procedures used;
- (g) details on supervision and monitoring of the activities at the Site;
- (h) details on handling of NASM waste, including the types and amounts of wastes received and removed from the Site;
- (i) details on housekeeping practices undertaken to control noise, dust, litter, odour, rodents, insects and other disease vectors, scavenging birds or animals;
- (j) details on the closure of the Site;
- (k) monitoring program for the Site;
- (l) site-specific trigger mechanism program for the implementation of the monitoring program, contingency measures and a description of such measures;
- (m) maintenance activities proposed for the Site and for the monitoring well network, including the type of the activities, the frequency of the activities and the personnel responsible for them;
- (n) inspection activities proposed for the Site, including the frequency of the activities and the personnel responsible for them;
- (o) details of training provided for the personnel responsible for the activities at the Site;
- (p) contingency plans for the emergency situations that may occur at the Site;
- (q) storm water management, including the location and the design of any works required; and
- (r) any other information relevant to the design and operation of the Site or the information required by the District Manager.

7.10 The Owner shall provide a current copy of the D&O Manual with any application to amend this Approval.

## **PART 8 - CLOSURE PLAN**

- 8.1 The Owner shall close the Site in accordance with Section 26 - Decommissioning Plan, in Item 1 of Schedule "A".
- 8.2 Within fourteen (14) days of closure of the Site, the Owner must provide the District Manager with a report, written by an independent, qualified consultant that confirms that the Site has been closed in accordance with the Closure Plan submitted and approved to satisfy Condition 8.1.

## **SCHEDULE "A"**

This Schedule "A" forms part of this Approval.

1. Application for a Environmental Compliance Approval for a Waste Disposal Site dated January 28, 2021 signed by Hank VanVeen, President, Wessuc with all attached supporting information including, but not limited to:
  - Report titled "Supporting Information for a Waste Transfer Site ECA, Supporting Information Sarnia, ON" Project # SYS196351.2000. Prepared by Wood Environment & Climate Change. January 28, 2021.

**SCHEDULE "B"**

This Schedule "B" forms part of this Approval.

Environmental Monitoring Program

Media	Frequency	Sampling Locations	Parameters
Groundwater	Two times annually to occur in the spring and fall	OW1A-90, OW1B-90, OW2A-90, OW2B-90, OW3A-92, OW3B-92, OW4A-92, OW4B-92, OW5B-00, and OW5A-00,	<b>General Parameters:</b> pH (field/lab), conductivity (field/lab), Temperature (field), Total Dissolved Solids, Total Suspended Solids, Water level (field) <b>Major and Minor Ions:</b> alkalinity, chloride <b>Nutrients/Organic Indicators:</b> BOD5, TKN, ammonia, nitrate, nitrite, DOC, total phosphorous <b>Pathogens:</b> E.coli, fecal coliforms, total coliforms

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

Conditions 1.1, 1.2, 1.5, 1.6, 1.7, 1.8, 1.9, 1.10, 1.11, 1.13, 1.14, 1.15, 1.17, 1.18, 1.19, and 2.1 are to clarify the legal rights and responsibilities of the Owner and Operator under this Approval.

Conditions 1.3 and 1.4 are to ensure that the Site is designed, operated, monitored and maintained 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.

Condition 1.16 is to ensure that appropriate Ministry staff has 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 Act, the OWRA, the PA, the NMA and the SDWA.

Condition 1.20 clarifies what information may be subject to the Freedom of Information Act.

Conditions 1.21, 1.22, 1.23, and 1.24 are to ensure that sufficient funds are available to the Ministry to close the lagoons, and to carry out all expected post-closure care activities and any contingencies. Failure to include requirements for financial assurance would not be in the public interest and may result in a hazard or nuisance to the natural environment or any person.

Conditions 2.2, 2.3, 2.4, 2.5, and 2.6 are to state the operational requirements and approved area which waste may be accepted at the Site, the amounts and types of waste that may be accepted, based on the application and the supporting documentation.



Condition 2.7 is to ensure that users of the Site are informed of the hours and services available as well as given contact information in the event of a complaint or emergency.

Conditions 2.8, 2.9 and 2.15 are 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 the environment or people.

Conditions 2.10, 2.11 and 2.12 are to ensure that MASM is only taken to approved to receive NASM and that the required testing is undertaken as required by the NMA.

Conditions 2.13 and 2.14 are to ensure that the Site is operated in a manner which does not result in a hazard or nuisance to the natural environment or any person and to ensure the controlled access and integrity of the Site by preventing unauthorized access when the Site is closed.

Condition 3.1 is to provide the groundwater limits to prevent water pollution at the Site

Condition 3.2, and 3.3 is included to require the Owner to demonstrate that the Site is performing as designed and the impacts on the natural environment are acceptable. Regular monitoring allows for the analysis of trends over time and ensures that there is an early warning of potential problems so that any necessary remedial/contingency action can be taken.

Conditions 3.4 and 3.5 are to ensure the integrity of the groundwater monitoring network so that accurate monitoring results are achieved and the natural environment is protected.

Conditions 3.6, 3.7, and 3.8 are to streamline the approval of the changes to the monitoring plan.

Conditions 4.1 and 4.2 are added to ensure that the Site is operated by properly trained staff in a manner which does not result in a hazard or nuisance to the natural environment or any person.

Condition 5.1 is to ensure that complaints are properly and quickly resolved and that complaints and follow-up actions have been documented.

Condition 6.1 is to ensure the Owner immediately responds to a spill.

Conditions 6.2, 6.3, 6.4, and 6.5 are to ensure that the Owner notifies the Ministry forthwith of any spills so that an appropriate response can be determined.

Conditions 7.1 and 7.2 are to ensure that accurate waste records are maintained to ensure compliance with the conditions in this Approval (such as fill rate, site capacity, record keeping, annual reporting), the EPA and its regulations.

Conditions 7.3, 7.4, 7.5, and 7.6 are to ensure that the Site is operated, inspected and maintained in an environmentally acceptable manner and does not result in a hazard or nuisance to the natural environment or any person.

Conditions 7.7, and 7.8 are 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.

Conditions 7.9 and 7.10 are to outline the design and operation of the landfill that is acceptable to the Ministry and prevent impacts to the environment.

Conditions 8.1 and 8.2 are to ensure that final closure of the Site is completed in an aesthetically pleasing manner, in accordance with Ministry standards, and to ensure the long-term protection of the health and safety of the public and the environment.

*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 21st day of July, 2021



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

CM/

c: District Manager, MECP Sarnia

Hank VanVeen

Richard St. Jean P. Eng. - Wood Environment & Infrastructure Solutions a Division of Wood Canada  
Limited, Shire Corporation