

**AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 6993-6X4QNM

Issue Date: October 19, 2021

Laguna Trading Ltd.  
293 Saunders Rd  
Barrie, Ontario  
L4N 9A3

**Site Location:** 305 Saunders Road  
Barrie City, County of Simcoe  
L4N 9A1

*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 (transfer and processing)

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

1. "ASTM" means American Society for Testing and Materials;

"Approval" means this entire 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;

"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;

"Liquid waste" means waste that has a slump of more than 150 millimetres using Test Method for the Determination of Liquid Waste (slump test) as detailed in Reg. 347.

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

"O. Reg. 406/19" means Ontario Regulation 406/19: On-Site and Excess Soil Management, made under the EPA, as amended from time to time;

"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 assignees;

"Owner" means any person that is responsible for the establishment or operation of the Site being approved by this Approval, and includes the **Laguna Trading Ltd.**, its successors and assignees;

"OWRA" means the Ontario Water Resources Act, R.S.O. 1990, c. O-40, as amended from time to time;

"PA" means the Pesticides Act, R.S.O. 1990, c. P-11, as amend from time to time;

"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;

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

"Reg. 347" means Regulation 347, R.R.O. 1990, made under the EPA, as amended from time to time;

"residual waste" means waste that is destined for final disposal;

"Soil Rules" means the Ministry document entitled "Rules for Soil Management and Excess Soil Quality Standards" dated 2020, as amended from time to time;

"Site" means the entire waste disposal site, located at 305 Saunders Road, Barrie, Ontario approved by this Approval;

"Subject waste" means subject waste as defined in Section 1 of the Reg. 347;

"TCLP" means Toxicity Characteristic Leaching Procedure as described in Reg. 347;

"temporary storage" means the storage of waste no greater than ninety (90) days from the date the waste was received at the site;

"trained personnel" means knowledgeable in the following through instruction and/or practice:

- i. relevant waste management legislation, regulations and guidelines;
- ii. major environmental concerns pertaining to the waste to be handled;
- iii. occupational health and safety concerns pertaining to the processes and wastes to be handled;
- iv. management procedures including the use and operation of equipment for the processes and wastes to be handled;
- v. emergency response procedures;
- vi. specific written procedures for the control of nuisance conditions;
- vii. specific written procedures for refusal of unacceptable waste loads;
- viii. the requirements of this Approval;

"WDF" means waste-derived fuel in accordance with the definition specified in Reg. 347 and to the extent approved by 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**

2. 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.

3. 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**

4. (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 24, 2005, and the supporting documentation listed in Schedule "A".

(2) 1. Preparations for implementation of the aspects of the Site described in the most recent application and supporting documentation for this Approval (Items 21 and 22 of

Schedule "A") 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 4(2)1 above.

### **Interpretation**

5. 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.

6. 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.

7. 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.

8. 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**

9. 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**

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 Site, including such accelerated or additional monitoring as may be necessary to determine the nature and extent of the effect or impairment.

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.

## **Change of Owner**

12. 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:

- a. the ownership of the Site;
- b. the Operator of the Site;
- c. the address of the Owner or Operator;
- d. the 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. B-17 shall be included in the notification; and
- e. the name of the corporation where the Owner is or at any time becomes a corporation, other than a municipal corporation, and a copy of the most current information filed under the Corporations Information Act, R.S.O. 1990, c. C-39 shall be included in the notification.

13. 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 and sufficient Financial Assurance is deposited with the Ministry to ensure that these conditions will be carried out. 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.

## **Financial Assurance**

14. Within 30 days of the date of issuance of this Approval, the Owner shall submit additional financial assurance to the Director in the amount of \$34,925 so that the total financial assurance held by the Ministry for this Site is \$153,092.68. The financial assurance shall be in a form acceptable to the Director to pay for compliance with and performance of any action specified in this Approval, including clean-up and monitoring of the Site, the disposal of all quantities of waste on-site, Site closure and post-closure care of the Site and contingency plans for the Site.

15. A written report reviewing the financial assurance required by the conditions in this Approval shall be submitted to the Director and the District Manager by March 31, 2024 and shall be updated and submitted every 3 years on the anniversary date. The report shall be prepared in accordance with Ministry Guideline F-15, and shall include updates to the costs to carry out any of the activities noted in Condition 14 above.

16. 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.

## **Inspections**

17. 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 are 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 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.

## **Information and Record Retention**

18. 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 to the Ministry, upon request . Records shall be retained for 5 years and except for as otherwise authorized in writing by the Director.

19. 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.



## **Construction**

20. A set of as-built drawings, including a Site Plan, showing the Site as constructed shall be kept up to date through periodic revisions and shall be submitted to the Director and the District Manager. An amendment to this Approval shall be sought for changes requiring approval.

## **OPERATION and MAINTENANCE**

### **Operation**

21. a. The Site shall be operated and maintained at all time including management and disposal of all waste in accordance with the EPA, Reg. 347 and the conditions of this Approval.

b. At no time shall the discharge of a contaminant that causes or is likely to cause an adverse effect be permitted.

22. A final inspection of the site shall be scheduled with the District Manager after the site has been constructed and prior to startup of the site.

23. The Owner shall manage all direct discharges from this Site in accordance with appropriate Municipal, Provincial and/or Federal Legislation, Regulations and By-laws.

### **Vermin, etc .**

24. a. the Site shall be operated and maintained such that vermin, vectors, dust, litter, odour, noise and traffic does not create a nuisance; and

b. the Owner shall keep all doors to the facility closed except for receiving and shipping requirements.

### **Waste Type**

25. Only the following types of waste shall be accepted at the Site:

a. liquid industrial waste and hazardous waste limited to the following waste classes: 111, 112, 113, 114, 121, 122, 123, 131, 132, 133, 134, 141, 145, 149, 150, 211, 212, 213, 221, 222, 231, 251, 252, 253, 254, 261, 262, 264, 265, and 267 as described in the Ministry of the Environment's "New Ontario Waste Classes" document dated January 1986 or as amended;

b. solid non-hazardous commercial and industrial waste, including excess soil, asphalt shingles, wood, metal, drywall and rail ties;

c. non-hazardous liquid waste, limited to liquid excess soil;

d. further to the limitations specified in Condition 25 a), the Owner shall not accept the following hazardous wastes as defined in Reg. 347:

i. radioactive waste;

ii. severely toxic waste (S);

iii. pathological waste (P);

iv. PCB waste (D);

v. acute hazardous waste (A);

vi. hazardous waste chemical (B)

vii. reactive waste (R)

## **Waste Limits**

26. a. No more than 100 tonnes of liquid industrial waste (other than liquid excess soil) and hazardous waste shall be accepted at the Site per day.

b. No more than 1500 tonnes of solid non-hazardous and liquid non-hazardous excess soil shall be accepted at the Site per day.

c. No more than 500 tonnes of solid non-hazardous waste other than excess soil, including asphalt shingles, wood, metal, drywall and rail ties, shall be accepted at the Site per day.

27. The total amount of residual waste generated for disposal from the processing operations shall not exceed 1000 tonnes per day, based on an annual average.

28. The Site is approved to use WDF at a maximum rate of 1.5 tonnes per day to fuel the evaporator.

29. a. The Owner shall ensure the maximum quantity of liquid industrial and hazardous waste temporarily stored at this Site at any one time does not exceed 435.2 m<sup>3</sup> and that the waste is stored in accordance with Table 1 from Schedule "B" of this Approval:
- b. Notwithstanding Condition 29.a above, the Owner shall ensure the maximum quantity of solid and liquid soil temporarily stored at this Site at any one time does not exceed 1000 tonnes. Liquid soil shall be stored in Building #2 described in Item 17 of Schedule "A", and solid soil shall be stored either indoors or in the lined area described in Item 23 of Schedule "A";
- c. The Owner shall ensure that the maximum quantity of solid non-hazardous waste other than excess soil, including asphalt shingles, wood, metal, drywall and rail ties, stored at this Site at any one time does not exceed 500 tonnes.
- d. If for any reason waste cannot be transferred from the Site, the Site must cease accepting waste until normal operations can resume.

### **Service Area**

30. Only waste that is generated within Province of Ontario shall be accepted at the Site.

### **Waste Containers**

31. a. All bulk storage tanks shall be examined or tested, as a minimum annually, to verify integrity and to ensure that there are no leaks. The Owner shall immediately remove from service any leaking tanks; and
- b. The Owner shall close and/or cover all containers that are used to store waste that may discharge a contaminant into the natural environment.
32. The Owner shall maintain a minimum freeboard of 0.50 metres within the mixing pit at all times.

### **Hours of Operation**

33. a. Waste shall only be accepted at the Site during the following time periods: 7:00 to 20:00; Monday to Friday.
- b. With the prior written approval of the District Manager, the time periods may be

extended to accommodate seasonal or unusual quantities of waste.

### **Site Security**

34. a. The Site shall be operated and maintained in a secure manner, such that unauthorized persons cannot enter the Site; and
- b. The Owner shall ensure the Site is adequately lit at all times.

### **Waste Inspection**

35. All waste shall be inspected by trained personnel prior to being accepted at the Site to ensure that the waste is of a type approved for acceptance under this Approval.

36. In the event that a load of waste is refused, a record shall be made in the daily log of the reason the waste was refused and the origin of the waste, if known.

### **Site Inspection**

37. 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.

38. A record of the inspections shall be kept in the daily log that includes the following information:

- 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. list of any dust, litter, noise, odour or pests detected;
- e. a brief description of any maintenance procedures conducted;
- f. any recommendations for remedial action; and
- g. the date, time and description of actions taken.

39. The Owner shall develop and implement a written preventative maintenance program for all on-site equipment associated with the processing and managing of waste. The preventative maintenance program shall be available on-site, upon request, for inspection by a Provincial Officer.

## **Training Plan**

40. A training plan shall be developed and maintained for all employees that operate the Site. Only trained personnel may operate the Site or carry out any activity required under this Approval.

41. The Owner shall ensure that trained personnel are available at all times during the hours of operation of this Site. Trained personnel shall supervise all transfer and

processing of waste material at the Site .

## **Complaint Response**

42. 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. If the operation of this site is determined to be the likely cause of the complaint, the Owner shall proceed to take the necessary actions to eliminate the cause of the complaint and shall immediately notify the District Office (or Spills Action Centre if after office hours) and forward a formal reply to the complainant; and
- g. the Owner shall complete and retain on-site a report written within seven (7) days of the complaint date and submit this report to the District Manager within seven (7) days of the complaint date, identifying the sources of the complaint, 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 which may include temporary ceasing of all operations until the problem is rectified and measures have been taken to prevent future occurrence.

### **Emergency Response Plan**

43. The Emergency Response Plan shall be reviewed annually, and a copy shall be retained in a central location on the Site and shall be accessible to all staff at all times with copies to District Manager, local Municipality, and local Fire Department.

44. Changes to the Emergency Response Plan shall be submitted to the District Manager. It is the discretion of the District Manager if such changes require Director's approval.

45. 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 and should be appropriate for the waste types and volumes present on Site.

46. All staff that operate the Site shall be fully trained in the use of the Emergency Response Plan, and in the procedures to be employed in the event of an emergency.

47. The Owner shall immediately take all measures necessary to contain and clean up any spill or leak which may result from the operation of this Site and immediately implement the Emergency Response plan if required.

48. Emergency Coordinator: The Owner shall ensure that at least one trained employee is available at all times, either on the premises or on call and within a reasonable travel distance from the Site, with the responsibility to coordinate the emergency response activities. A list containing the names of the Emergency Coordinator, the alternates, and the on-call coordinator with the office and home phone numbers for each of them, shall be posted in a conspicuous place for easy access by all employees.

## **Closure Plan**

49. Six (6) months prior to the planned closure of this Site, the Owner shall provide to the Director, for written approval, a written Closure Plan for the Site. This plan must include, as 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.

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

51. Within ten (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.

### **Design and Operations Report**

52. The Design and Operations Report shall be retained at the Site; kept up to date through periodic revisions; and be available for inspection by Ministry staff. Changes to the Design and Operations Report shall be submitted to the Director for approval.

### **Signs**

53. A sign shall be posted and maintained at the main entrance/exit to the site



displaying in a manner that is clear and legible up and contain the following information:

- a. the name of the Site and Owner;
- b. the number of this Approval;
- c. the name of the operator;
- d. a telephone number to which complaints may be directed; and
- e. a twenty-four (24) hour emergency telephone number (if different from above);

## **Labelling**

54. All waste storage containers at the Site, shall have a label or sign with the following information: volume, waste class(es), waste characteristic and WHMIS/TDGA classification. The label or sign shall be clearly visible for inspection and record keeping.

## **Segregation**

55. The Owner shall ensure that all waste shall be stored in accordance with Ministry publication "Guidelines for Environmental Protection (EP) Measures at Chemical Storage Facilities", dated October 1978 and the integrity of the concrete containment systems for drum storage and all processing and storage tanks shall be maintained at all times to ensure against spills, leaks and discharges. Wastes shall be segregated from other incompatible wastes and materials.

## **Loading/Unloading Waste**

56. During the unloading/loading of waste, all vehicles shall be positioned such that the waste are unloaded/loaded within the confines of the facility.

### **Incoming/Outgoing Waste**

57. All in-coming and outgoing waste shall be inspected and tested by trained personnel in accordance with Reg. 347 and the conditions of this Approval prior to being received, processed, transferred and shipped to ensure wastes are being managed and disposed of in accordance with EPA and Reg. 347.

### **Quality Assurance/Quality Control (QA/QC)**

58. The Owner shall maintain a Quality Assurance/Quality Control (QA/QC) program for the sampling and analysis of all incoming and outgoing wastes that are sampled in Conditions 57, 65, 66 and all WDF sampled in Condition 63.

### **Processing Waste**

59. Hazardous waste listed as Hazardous Industrial Waste ("H") as defined in Reg. 347 shall only be **transferred** and not processed, mixed, bulked, blended or in any other way intermingled with any other waste or material.

60. a. Processing of waste carried out at the Site is limited to the following processes: pH adjustments, screening, reduction, precipitation, coagulation, flocculation, settling of solids, bulking, blending, sludge dewatering, solidification/stabilization, and evaporation as described in Schedule "A" which forms part of this Approval.

b. Notwithstanding Condition 60.a above, liquid soil may be received in the solidification bay located in Building #2 shown in Item 17 of Schedule "A", and solidified using peat moss, saw dust or clay/bentonite. Further handling of solid or liquid excess soil shall be carried out in accordance with Condition 70 below.

c. Notwithstanding Condition 60.a above, solid non-hazardous waste other than soil, including asphalt shingles, wood, metal, drywall and rail ties, may be sorted in Building

#2 further to Item 22 in Schedule "A".

61. All waste processing shall occur indoors at all times.

62. Notwithstanding the requirements of Conditions 60 of this Approval, all reasonable measures in the way of laboratory, compatibility and bench testing of waste and materials shall be taken to ensure that the processing of wastes at the Site will not result in uncontrollable reactions that could result in a fire or release of contaminants to the natural environment.

63. a. The Owner shall analyze a Representative Sample that represents the composition of the contents of the WDF. The sample shall be taken in accordance with Reg. 347; "Industrial Waste Sampling Procedures Manual, 1989, PIBS Number 339" prepared by the Waste Management Branch of the Ministry; and a "Guide to the Collection and submission of Samples for Laboratory Analysis, 1989" prepared by the Laboratory Services Branch of the Ministry. The sample shall be one (1) vertical profile sample or one (1) composite sample of a mix of equal volume of grab samples taken from a minimum of three different vertical locations (bottom, middle and top);

b. The Owner shall submit the Representative Sample for analysis to an accredited laboratory. All analysis procedures shall be based on ASTM methods that have a minimum detection limit of 50 percent or less of the specified value (excluding flash point). The analysis shall be conducted to determine whether the Representative Sample meets the requirements of WDF as required by Reg. 347;

c. The Owner shall demonstrate that the Representative Sample meets the requirements of WDF as required by Reg. 347, prior to directing WDF to the WDF tank as described in Schedule "A" of this Approval;

d. Once the waste is classified as WDF, the Owner shall not mix or dilute WDF with any other waste or uncontaminated material;

e. A procedure must be written for removing the sediments that accumulate in the bottom of the WDF tank to be performed prior to refilling the tanks with a new batch of WDF.

64. The Owner shall maintain on-site a diagram identifying the location of waste stored on Site. The Owner shall ensure the diagram is a true reflection of the waste stored on-site and make the diagram available for inspection upon request by emergency response personnel and/or a Provincial Officer.

#### **Testing of Processed Waste**

65. TCLP sampling of processed waste shall be done in accordance with the Ministry document entitled "Principles of Sampling and Analysis of Waste for TCLP under Ontario Regulation 347" dated February 2002, as revised from time to time and in accordance to Reg. 347.

66. At a minimum requirement, each batch of processed waste must be in compliance with at least two slump tests drawn from different locations of the batch waste to indicate that the waste is not a liquid waste prior to loading the waste for transportation from the Site.

### **Monitoring Programs**

67. The Owner shall maintain a self monitoring groundwater program to satisfy the objective of serving as a sentry program to identify contamination in the groundwater from operations at this Site. The self monitoring groundwater program shall include:

- a. contracting a hydrogeological consultant licensed by the Association of Professional Geoscientists of Ontario and/or the Professional Engineers of Ontario;
- b. defining site stratigraphy including hydraulic properties from surface to subsurface soils;
- c. establishing water level elevation contours with interpreted groundwater flow direction; and calculate groundwater flow rate based on site specific horizontal and vertical groundwater gradient;
- d. installation of sentry wells strategically located down gradient, close gradient and up gradient from areas of potential contamination;
- e. sampling of wells for chemistry and contaminants of concern to establish baseline information;
- f. sampling of wells for contaminants of concern on a scheduled basis in the future; and
- g. submission of a summary report on the self-monitoring groundwater program on an annual basis with the annual report to the District Manager.

### **Daily Logs**

68. A daily log shall be maintained and shall include the following information:

- a. date;
- b. types (class and primary characteristic), quantities and source of waste received;
- c. quantity, storage location of unprocessed, processed and residual waste and WDF on Site;
- d. quantities and destination of each type of waste shipped from the Site;
- e. the results of all analyses of WDF as required by this Approval;
- f. the results of all analyses as required by this Approval;
- f. the total hours of operation of the evaporator and the quantity and type of waste evaporated, amount of condensate, and residue;
- g. a record of daily inspections required by this Approval;
- h. a record of any spills or process upsets at the site, 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;
- i. a record of any waste refusals which shall include; amounts, reasons for refusal and actions taken; and
- j. the signature of the trained personnel conducting the inspection and completing the report.

## Annual Report

69. The Owner shall prepare and submit to the District Manager by March 31 of each year, commencing March 31, 2008, an annual report covering the previous calendar year. Each annual report shall include, as a minimum, the following information:
- a. an annual summary material balance of the waste received and transferred from the site;
  - b. an annual summary by waste class and characteristic of the waste received and generated at the Site, including quantity;
  - c. a descriptive summary describing any rejected waste including quantity, waste class, reasons for rejection and origin of the rejected waste;
  - d. a descriptive summary of upgrades conducted during the previous calendar year;
  - e. annual average and maximum daily receipt for each type of waste;
  - f. the annual average and maximum total site storage capacity, as recorded at the end of each shift;
  - g. a summary description (including averages and maximums for each parameter) of any analytical data pertinent to the operation of this facility including waste screening and monitoring, and a summary of related Quality Control/Quality Assurance (QA/QC) analysis;
  - h. any environmental and operational problems, that could negatively impact the environment, encountered during the operation of the Site and during the facility inspections and any mitigative actions taken;
  - i. a statement as to compliance with all Conditions of this Approval and with the inspection and reporting requirements of the Conditions herein; and
  - j. any recommendations to minimize environmental impacts from the operation of the Site and to improve Site operations and monitoring programs in this regard.

### **Transfer of Excess Soil**

70. Further to Condition 60 above, excess soil shall be managed at the Site in accordance with the following:

#### 70.1 Soil Receiving

- A. (1) The Owner shall ensure all incoming excess soil loads are inspected by Trained Personnel to ensure only waste approved under this Approval is received at this Site.
- (2) If any incoming waste load is known to, or is discovered to, contain unapproved waste, that load shall not be accepted at the Site.
- (3) If any unapproved waste is discovered on-site, that waste shall be immediately disposed of in accordance with the EPA and Reg. 347.
- B. No excess soil load shall be received at the Site without the following information:
- (1) For all soil loads, the following:

- a. the generator's name and/or company name, address and contact information;
- b. the location of the source site;
- c. current source site activities and land use;
- d. past source site activities and land use, if known; and
- e. the estimated quantity of excess soil in the soil load as well as the total amount expected to be received at the Site from that source site.

(2) For solid soil loads to be transferred directly from the Site to another location for beneficial reuse in accordance with O. Reg. 406/19:

- a. all sampling protocols, testing protocols and characterization results determined in accordance with the requirements set out in O. Reg. 406/19 and the Soil Rules.

(3) For solid soil loads to be transferred directly from the Site to another location for purposes other than beneficial reuse in accordance with O. Reg. 406/19, including to a waste disposal site approved to manage that waste:

1. the results of any Phase I ESA and Phase II ESA undertaken for the source site in accordance with the Ministry's requirements under O. Regulation 153/04; or

2. the following characterization results:

- a. results of the Slump Test carried out in accordance with Schedule 9 of Reg. 347 if the excess soil has a high moisture content; and
- b. characterization to demonstrate that the excess soil is non-hazardous waste, including as a minimum the results of TCLP analysis.

C. All applicable analytical results shall be from a laboratory service provider accredited by a Canadian Association for Laboratory Accreditation or equivalent.

## 70.2 Waste Storage and Handling

A. The following excess soil management activities are permitted at the Site:

- (1) the processing of liquid excess soil further to Condition 60.b above;
- (2) the receipt, temporary storage and transfer of excess soil.

B. (1) Liquid excess soil shall be managed as described in Condition 60.b above.

(2) Solid excess soil shall be unloaded and stored either indoors or on the lined area shown in Item 23 in Schedule "A".

C. Excess soil shall otherwise be managed on-site in accordance with the following:

(1) Excess soil loads shall be segregated by source site or by soil quality and stored in separate concrete bunkers.

(2) 1. The quality of a mixture of excess soil loads from different source sites, where each soil load forming a part of the mixture has accompanying analytical data, shall be deemed to be either:

- a. the quality based the maximum concentration of each contaminant present in any of the soil loads that form part of the mixture; or
- b. the quality based on testing carried out in accordance with Condition 70.3 below.

2. The quality of a mixture of excess soil loads where not every soil load has accompanying analytical data, or where dewatered soil forms a part of the mixture, shall be deemed to be the quality based on testing carried out in accordance with Condition 70.3 below.

(3) Each soil pile on-site shall be clearly marked with a sign indicating the contents of

the pile directly or a reference to records indicating the contents of the pile. In either case, the contents of the pile shall be described in terms of the following:

1. soil quality;
2. whether the pile contains a mixture or not; and
3. the source site(s) of the soil in the bunker.

(4) All soil piles shall be tarped during storage, and shall be watered down as necessary to prevent off-site impacts from dust.

### 70.3 Soil Sampling, Analysis and Reuse

A. Dewatered soil, mixed soil described above, or any other soil that does not have accompanying test data, shall not 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. The following table excerpt is provided for reference only:

TABLE 2  
MINIMUM STOCKPILE SAMPLING FREQUENCY

Item	Column 1 Stockpile Volume (m3)	Column 2 Minimum Number of Samples
1.	≤ 130	3
2.	> 130 to 220	4
3.	> 220 to 320	5
4.	> 320 to 430	6
5.	> 430 to 550	7
6.	> 550 to 670	8
7.	> 670 to 800	9

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

- i. metals;
- ii. PHCs;
- iii. BTEX;
- iv. VOCs
- iv. PAHs;
- v. ABNs.

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

3. The Owner shall ensure that each 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.

B. Excess soil to be sent off-site for beneficial reuse as described Section 5(1)3 in Ontario Regulation 406/19 shall only be sent off-site for reuse in accordance with Section 3 of Ontario Regulation 406/19 and the Soil Rules. All other excess soil shall only be transferred off-site to a waste disposal site that is approved to accept that type of material in accordance with the Environmental Compliance Approval for that site, or to a location not required to obtain an Environmental Compliance Approval to manage that material.

C. Rock (having a same meaning as in Ontario Regulation 406/19) or debris that does not meet the definition of inert fill set out in Reg. 347 shall only be transferred off-site to a waste disposal site that is approved to accept that type of material in accordance with the Environmental Compliance Approval for that site, or to a location not required to obtain an Environmental Compliance Approval to manage that material.

#### **SCHEDULE "A"**

This Schedule "A" forms part of this Approval:

1. Application for a Provisional Certificate of Approval for a Waste Disposal Site signed by Mr. Scott Wells, Vice-President of Laguna Trading Ltd., dated November 24, 2005.
2. Design and Operations Report prepared by TAF Industrial Consulting
3. Email dated March 24, 2006 to Richard Saunders (MOE) from Talis Forstmanis (TAF Industrial Consulting) regarding waste classes and waste characteristics, waste derived fuel criteria, pits, and updated financial assurance.
4. Email dated July 13, 2006 to Richard Saunders (MOE) from Talis Forstmanis (TAF Industrial Consulting) regarding the flammable storage area, sludge pit, financial assurance, engineering drawings, and leachate and slump testing of outbound solids.
5. Email dated August 22, 2006 from Talis Forstmanis (TAF Industrial Consulting) to Richard Saunders (MOE) regarding changes to the major equipment list and specifications of the D&O report, containment calculations, and updated financial assurance.
6. Email dated September 20, 2006 regarding updated financial assurance, dimensions of the containment, potential horizontal trajectories, and no centrifuge included in the application.
7. Letter dated October 5, 2006 to Richard Saunders (MOE) from P. Scott Welles (Laguna Trading Inc.) regarding the testing on all solids material leaving the site.
8. Email dated December 8, 2006 to Richard Saunders (MOE) from Aki Braks (Laguna Trading Ltd.) regarding slump testing and maximum storage capacity and the financial



assurance.

9. Email dated January 7, 2007 to Richard Saunders (MOE) from Aki Braks (Laguna Trading Ltd.) regarding flammable storage tank, and the hazardous solid material.
10. Email dated January 9, 2007 to Richard Saunders (MOE) from Aki Braks (Laguna Trading Ltd.) regarding flammable storage and the hazardous solids.
11. Email dated January 10, 2007 to Richard Saunders (MOE) from Aki Braks (Laguna Trading Ltd.) regarding correction on the engineering drawings.
12. Fax dated January 18, 2006 to Richard Saunders (MOE) from Aki Braks (Laguna Trading Ltd.) regarding the containment area for the storage of flammable liquids.
13. Email dated February 12, 2007 to Richard Saunders (MOE) from Talis Forstmanis (TAF Industrial Consulting) regarding updated D&O and the waste characteristics of waste classes.
14. Email dated February 15, 2007 to Richard Saunders (MOE) from Talis Forstmanis (TAF Industrial Consulting) regarding updated D&O and removal of WDF fired unit heater.
15. Application for a Provisional Certificate of Approval for a Waste Disposal Site signed by Mr. Scott Wells, Vice-President of Laguna Trading Ltd., signed by Scott Wells, Vice President, dated March 29 , 2007.
16. Email dated April 24, 2007 to Richard Saunders (MOE) from Aki Braks (Laguna Trading) regarding the omitted solid non-hazardous waste category.
17. Environmental Compliance Approval application dated December 10, 2018, signed by Scott Welles, Laguna Trading Ltd, including all supporting documentation.
18. Email dated March 28, 2019 from Denise Kruger, Apex Services, including the attached letter from Scott Welles, with additional information on the soil operation.
19. Email dated April 26, 2019 from Scott Welles, Laguna Trading Ltd., including additional information on treatment of decanted liquid.
20. Email dated June 18, 2019 from Scott Welles, Laguna Trading Ltd., including additional information on construction of the solidification bay and the removal of liquid from the site using vacuum trucks.
21. Environmental Compliance Approval application received November 4, 2019 signed by Scott Welles, Laguna Trading Ltd., including all supporting documentation.
22. Email dated January 9, 2020 from Denise Kruger, Apex Environmental Services Inc., to Andrew Neill, MECP, including additional information on the handling of solid non-hazardous commercial and industrial waste.
23. Environmental Compliance Approval application received July 20, 2021 signed by Scott Welles, Laguna Trading Ltd., including all supporting documentation.

## **SCHEDULE "B"**

This Schedule "B" forms part of this Approval:

Item or tank number	Maximum Capacity of waste (m <sup>3</sup> )	Description
TK1	40.6	Aqueous waste processing tank (251)
TK2	45.6	Aqueous waste processing tank (251)
TK3	45.6	Aqueous waste processing tank (251)
TK4	45.6	Oil storage tank (251)
TK5	45.6	Emulsion tank (251)
TK6	38.2	WDF Tank (251)
TK7	38.2	Evaporator feed tank
TK8	24.2	Concentrate tank
TK9 & 10	5.0	Corrosives
Oil Separator Tank	2.7	Oil separator tank (253)
Mix Pit	35.7	Sludge stabilization pit
Flammable storage tank	18.5	Light fuel storage: tanker truck
Drum Storage rack	19.7 (96 drums)	drums or totes
Solids Roll Off	30	2 Luger roll offs
<b>Total</b>	<b>435.2</b>	

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

1. *The reason for Condition 1 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 2, 3, 5, 6, 7, 8, 9, 10, 11, 18, and 19 are to clarify the legal rights and responsibilities of the Owner and Operator.*
4. *The reason for Conditions 4, and 52 are 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.*
  
5. *The reasons for Condition 12 is 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.*

6. *The reasons for Condition 13 is 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.*

7. *The reasons for Conditions 14, 15 and 16 are to ensure that sufficient Financial Assurance is in place to clean up the Site in the event that the Owner is unwilling or unable to do so and to require periodic review of the Financial Assurance amount.*

8. *The reason for Condition 17 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 and OWRA.*

9. *The reason for Condition 20 is to ensure the availability of record drawings for inspection and information purposes.*

10. *The reason for Conditions 21, 22, 23, 24, 32, 37, 39, 47, 54, 55, 56, 57, 61 and 67 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.*

11. *The reasons for Conditions 25, 26, 27, 28, 29 and 30 are to specify the approved service area from which waste may be accepted at the Site, the types of waste that may be accepted at the Site, the amounts of waste that may be stored at the Site, the maximum rate at which the Site may receive waste, and the maximum rate at which WDF may be used, based on the Owner's application and supporting documentation.*

12. *The reason for Conditions 31, 35, 36, 58, 62, 63, 64, 65, and 66 are to ensure that all wastes are properly classified to ensure that they are managed, processed and disposed in accordance with Reg. 347, and in a manner that protects the health and safety of people and the public.*

13. *The reasons for Conditions 33 is to specify the hours of operation for the Site.*

14. *The reasons for Condition 34 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 Condition 38 is to ensure that detailed records of Site inspections are recorded and maintained for inspection and information purposes.*

*16. The reason for Condition 40 and 41 are 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.*

*17. The reason for Condition 42 is to ensure that any complaints regarding Site operations at the Site are responded to in a timely manner.*

*18. The reasons for Conditions 43, 44, 45, 46, 48 and are to ensure that an Emergency Response Plan is 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.*

*19. The reasons for Conditions 49, 50 and 51 are 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.*

*20. The reason for Condition 53 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.*

*21. The reason for Conditions 59 and 60 is to identify the processes approved and prohibited under this Approval.*

*22. The reasons for Condition 68 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.*

23. *The reasons for Condition 69 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.*

24. *The reason for Condition 70 is to ensure that excess soil is properly characterized, tested, managed and/or disposed of in an environmentally protective manner.*

**Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 6993-6X4QNM issued on February 4, 2020**

*In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me, the Environmental Review Tribunal and in accordance with Section 47 of the Environmental Bill of Rights, 1993, the Minister of the Environment, Conservation and Parks, within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Minister of the Environment, Conservation and Parks will place notice of your appeal on the Environmental Registry. Section 142 of the Environmental Protection Act provides that the Notice requiring the hearing shall state:*

- a. The portions of the environmental compliance approval or each term or condition in the environmental compliance approval in respect of which the hearing is required, and;
- b. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

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

*The Notice should also include:*

1. The name of the appellant;
2. The address of the appellant;
3. The environmental compliance approval number;
4. The date of the environmental compliance approval;
5. The name of the Director, and;
6. The municipality or municipalities within which the project is to be engaged in.

*And the Notice should be signed and dated by the appellant.*

*This Notice must be served upon:*

The Secretary\*  
Environmental Review Tribunal  
655 Bay Street, Suite 1500

AND

The Minister of the Environment,  
Conservation and Parks  
777 Bay Street, 5th Floor

AND

The Director appointed for the purposes of  
Part II.1 of the Environmental Protection Act  
Ministry of the Environment, Conservation

Toronto, Ontario  
M5G 1E5

Toronto, Ontario  
M7A 2J3

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 October,  
2021

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

AN/  
c: District Manager, MECP Barrie  
Michael Sadowski, Apex Environmental Services Inc.