

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 9282-C8FMRP  
Issue Date: December 20, 2021

Stelco Inc.  
386 Wilcox St P.O. Box 2030  
Hamilton, Ontario  
L8N 3T1

Site Location: 386 Wilcox Street  
Hamilton City,  
L8L 8K5

*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 processing site

to be used for the receipt, storage and processing of the following types of waste:

1. liquid industrial waste limited to process wastewater received from Stelco Lake Erie Works and Rain Carbon Canada Inc. in Hamilton, Ontario, and other generators as may be approved through the Operational Flexibility conditions set out in this Approval; and
2. solid non-hazardous waste resulting from the Stelco Inc. wastewater treatment process

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";

"Director" means a person appointed by the Minister pursuant to section 5 of the EPA for the purposes of Part II.1 of the EPA;

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

"Engineer's Report" means the report amended to this Approval as Item (3) of Schedule "A";

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

"Ministry" means the ministry of the government of Ontario responsible for the EPA and includes all officials, employees or other persons acting on its behalf;

"Modifications" means a change to the waste disposal site identified in the Engineer's Report amended to and approved by this ECA including changes to how the Site is used, operated, altered or enlarged;

"Operating Envelope" means the limits on the pre-approved Modifications that the Owner may make to the Site without further amendment to the ECA;

"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 Stelco Inc., its successors and assigns;

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

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

"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;

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

"Site" means the area within the greater Stelco property which operates as the Waste Water Treatment Plant, located at 386 Wilcox Street, Hamilton, Ontario;

"Supporting Documentation" means the documents listed in Schedule "A" of this Approval;

"Trained Personnel" means person(s) 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; and
- (viii) the requirements of this Approval; and

"Treated Wastewater" means wastewater that has been processed in accordance with the application and supporting documentation which will be discharged to the City of Hamilton's sanitary sewer.

*You are hereby notified that this environmental compliance approval is issued to you subject to the terms and conditions outlined below:*

## TERMS AND CONDITIONS

### **1.0 Compliance**

- 1.1 The Owner and Operator shall ensure compliance with all the Conditions of this ECA and shall ensure that any person authorized to carry out work on or operate any aspect of the Site is notified of this ECA 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 ECA.
- 1.3 The Site shall be operated and maintained at all times including management and disposal of all waste in accordance with the EPA, Reg. 347 and the Conditions of this ECA. At no time shall the discharge of a contaminant that causes or is likely to cause an adverse effect be permitted.

### **2.0 Design, Develop, Build, Operate, Modify and Maintain in Accordance**

- 2.1 Except as otherwise provided for in this ECA, the Site and Works shall be designed, developed, built, operated, modified and maintained in accordance with the application for this ECA, the Design and Operations Report as updated from time to time, the Engineer's Report, the application for the Works and any other supporting documentation listed in Schedule "A".

### **3.0 Interpretation**

- 3.1 Where there is a conflict between a provision of any document, including the application, referred to in this ECA, and the Conditions of this ECA, the Conditions in this ECA shall take precedence.
- 3.2 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.
- 3.3 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.
- 3.4 The requirements of this ECA are severable. If any requirement of this ECA, or the application of any requirement of this ECA to any circumstance, is held invalid or unenforceable, the application of such requirement to other circumstances and the remainder of this ECA shall not

be affected thereby.

#### **4.0 Other Legal Obligations**

4.1 The issuance of, and compliance with, this ECA does not:

- (1) relieve any person of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement including, but not limited to:
  - (a) obtaining site plan approval from the local municipal authority;
  - (b) obtaining all necessary building permits from the local municipal authority Building Services Division;
  - (c) obtaining approval from the Chief Fire Prevention Officer, local municipal authority: or
- (2) 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 ECA.

#### **5.0 Adverse Effect**

5.1 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.

5.2 Despite an Owner, Operator or any other person fulfilling any obligations imposed by this ECA the Owner, Operator or any other person remains responsible for any contravention of any other Condition of this ECA 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.

#### **6.0 Change of Owner**

6.1 The Owner shall notify the Director in writing, and forward a copy of the notification to the District Manager, within thirty (30) days of the occurrence of any changes:

- (1) the ownership of the Site or Works;
- (2) the Operator of the Site or Works;
- (3) the address of the Owner or Operator;
- (4) 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

(5) 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.

6.2 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 ECA, and the Owner shall provide a copy of the notification to the District Manager and the Director.

## **7.0 Financial Assurance**

7.1 Prior to any wastes being received at the Site, the Owner shall submit to the Director, financial assurance as defined in Section 131 of the EPA, in the amount of one hundred eighty-eight thousand three hundred and fifty dollars and zero cents (CAD 188,350.00). This financial assurance shall be in a form acceptable to the Director and shall provide sufficient funds for the analysis, transportation, Site clean-up, monitoring and disposal of all quantities of waste permitted to be on Site at any one time;

7.2 Commencing on March 31, 2025, and every four (4) years thereafter, the Owner shall provide to the Director a re-evaluation of the amount of the financial assurance to facilitate the actions required under Condition 7.1. Additional financial assurance, if required, must be submitted to the Director within twenty (20) days of written acceptance of the re-evaluation by the Director;

7.3 Commencing on March 31, 2023, 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 7.1 for each of the intervening years in which a re-evaluation is not required to be submitted the Director under Condition 7.2. The re-evaluation shall consider any Modifications made to the Site and shall be made available to the Ministry, upon request.

7.4 The amount of financial assurance is subject to review at any time by the Director and may be amended at his/her discretion; and

7.5 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 Owner shall forthwith replace the financial assurance with cash.

## **8.0 Inspections**

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

- (1) to enter upon the premises where the approved works are located, or the location where the records required by the Conditions of this ECA are kept;
- (2) to have access to, inspect, and copy any records required to be kept by the Conditions of this ECA;
- (3) to inspect the Site, related equipment and appurtenances;
- (4) to inspect the practices, procedures, or operations required by the Conditions of this ECA; and
- (5) to sample and monitor for the purposes of assessing compliance with the terms and Conditions of this ECA or the EPA, the OWRA or the PA.

## **9.0 Information and Record Retention**

- 9.1 Any information requested, by the Ministry, concerning the Site and its operation under this ECA, including but not limited to any records required to be kept by this ECA shall be provided to the Ministry, upon request, in a timely manner.
- 9.2 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 ECA or under any statute, regulation or other legal requirement, in relation to the information, shall not be construed as:
- (1) an approval, waiver, or justification by the Ministry of any act or omission of any person that contravenes any term or Condition of this ECA or any statute, regulation or other legal requirement; or
  - (2) acceptance by the Ministry of the information's completeness or accuracy.
- 9.3 All records required by the Conditions of this ECA must be retained on Site for a minimum period of five (5) years from the date of their creation.
- 9.4 Any information relating to this ECA 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, R.S.O. 1990, C. F-31.

## **10.0 Limited Operational Flexibility**

- 10.1 The Owner may make Modifications to the Site in accordance with this condition and the pre-approved changes detailed in the Operating Envelope in the Engineer's Report.
- 10.2 The following Modifications to the Site are permitted as part of the Operating Envelope:
- (1) the ability to make Modifications to the Site's infrastructure;

- (2) the ability to make Modifications to the Site's processing operations and equipment;
- (3) the ability to accept waste of a similar chemical profile from other industrial generators for the purposes of waste treatment.

10.3 The following Modifications to the Site are not permitted as part of the Operating Envelope:

- (1) changes to the Site not identified in the Engineer's Report;
- (2) changes to tank storage capacity which may result in a need to assess secondary containment features; and
- (3) changes to the Site that have requirements under the Environmental Assessment Act.

10.4 The Owner shall provide a written notification to the District Manager and Director at least fifteen (15) days prior to making Modifications to the Site in accordance with Condition 10.1. At a minimum the notification shall include the following:

- (1) a description of the change to the operations of the Site including an assessment of the anticipated environmental effects of the Modifications;
- (2) updated versions of, or amendments to, all relevant technical documents required by this ECA that are affected by the Modification including but not necessarily limited to an updated Site Plan drawing, Design and Operations Report and the Spill Prevention, Control & Countermeasures Plan including a document control record that tracks all changes that were made to the documents; and
- (3) a statement signed by the Owner and an Independent Professional Engineer declaring that the Modifications made to the Site are done so in accordance with the Operating Envelope, are consistent with industry's best management practices and are not likely to result in an adverse effect.

10.5 Notwithstanding Condition 10.4, if the Modifications made to the Site require an amendment to the Site's Fire Safety Plan the Owner shall obtain the authorization of the local fire services authority prior to instituting the Modifications. A copy of the approved plan must be forwarded to the District Manager.

## **11.0 Service Area and Hours of Operations.**

11.1 Only waste that is generated at Stelco Lake Erie Works and the Rain Carbon Canada chemical facility in Hamilton, Ontario, may be received at the Site.

11.2 Waste from additional generators may be received at the Site subject to Modifications made pursuant to condition 10.2(3) of this Approval.

11.3 The Site may operate twenty four hours per day, 365 days a year unless otherwise limited either by municipal by-laws or the operating hours that are identified in the Supporting Documentation.

## **12.0 Site Security**

12.1 The Owner shall operate and maintain the Site in a secure manner, with access to the Site regulated and the perimeter of the Site secured by fencing or other features. The Owner shall ensure that the Site is secured against access by unauthorized persons at all times.

## **13.0 Waste Types and Waste Receiving**

13.1 No waste other than process wastewater, listed as waste classes no. 148, may be received at the Site.

13.2 (1) The Owner shall ensure all incoming loads are inspected by Trained Personnel to ensure only approved waste is received at this Site.

(2) If any incoming waste load is known to contain unapproved waste, or is discovered to contain unapproved waste during receipt, that load shall be rejected.

(3) If any unapproved waste is discovered on-site, that waste shall be immediately removed from the Site for disposal in accordance with the EPA and Reg. 347.

## **14.0 Approved Waste Quantities**

14.1 (1) The amount of liquid industrial waste and/or liquid hazardous waste being stored (and not in-process) shall not exceed 1,180 cubic metres at any one time, which represents the maximum storage capacity of the storage tank identified as Tank 25 in the Supporting Documentation.

(2) The amount of solid, non-hazardous waste being stored shall not exceed 450 tonnes at any one time.

## **15.0 Waste Storage**

15.1 Waste shall be stored in accordance with the Supporting Documentation, and at a minimum the Owner shall ensure that all activities related to the unloading, storage, loading and other handling of waste on-site are conducted such that the operation of the Site does not result in a nuisance or an adverse effect.

15.2 (1) Further to Condition 15.1 above, all liquid waste not in-process as detailed in the Supporting Documentation shall be stored at all times in the designated waste storage tank, identified as Tank 25.

(2) The Owner shall ensure that maintenance and repair on the secondary containment



features for Tank 25, including increasing the height of the berm, shall be completed as detailed in Item (3) of Schedule "A" and by no later than March 31, 2022.

- (3) Prior to the maintenance and repair work referenced in condition 15.2(2) being completed, Tank 27 (non-waste) storage levels shall be limited to 228,732 US Gallons to ensure adequate secondary containment volume within the containment area.
- (4) All liquid waste storage at the Site shall comply with the standards set out in the Ministry publication "Guidelines for Environmental Protection Measures at Chemical and Waste Storage Facilities" dated May 2007.

15.3 All solid, non-hazardous waste generated at the Owner's wastewater treatment facility shall be stored and managed in accordance with the Supporting Documentation.

15.4 Use of Tank 26 for the purposes of waste storage during periods of maintenance on Tank 25 may be conducted subject to the following:

- (1) Written notification is provided to the District Manager detailing: the maintenance works to be conducted, the length of time Tank 26 will be used for waste storage, any operational changes as a result of the maintenance, and any procedures to be followed upon completion of the maintenance work.
- (2) Tank 26 shall not be used for waste storage until confirmation is received from the District Manager that the information submitted as per condition 15.4(1) above is satisfactory.

## **16.0 Waste Processing and Residual Waste Management**

16.1 No processes other than the following shall be carried out at the Site:

- (1) the treatment of liquid waste as part of the existing wastewater treatment facilities at the Stelco Inc. facility, using the equipment detailed in the Supporting Documentation.

16.2 Disposal of effluent from the wastewater treatment facility shall comply with the valid municipal sewer use by-law and any sewer use agreements made with the Municipality. Any effluent which cannot be discharged via sewer shall be managed and disposed of in accordance with the EPA and Reg. 347.

## **17.0 Stormwater**

17.1 The Owner shall ensure that all stormwater generated at the Site is managed in accordance with all applicable provincial requirements and municipal by-laws.

## **18.0 Design and Operations Report**

18.1 The Owner shall maintain a consolidated Design and Operations Report on-site that shall be kept

up-to-date and made available for inspection by a Provincial Officer upon request. The Design and Operations Report shall describe current Site operations as reflected in the conditions of this Approval, and shall contain as a minimum the information specified for a waste transfer site as described in the most recent version of the Ministry publication "Guide for Applying for Approval of Waste Disposal Site" as it applies to this Site.

## **19.0 Nuisance Control**

19.1 The Owner shall operate and maintain the Site such that dust, odours and litter do not result in a nuisance or an adverse effect.

## **20.0 Site Inspections**

20.1 Trained Personnel shall carry out a visual inspection of the entire Site (including all waste handling facilities, the property line and the grounds) each day the Site is in operation to ensure that:

- (1) the Site is secure; and
- (2) the operation of the Site is not the cause of any nuisances or adverse effects.

20.2 Any deficiencies discovered as a result of an inspection carried out under Condition 20.1 shall be remedied immediately.

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

- (1) the name and signature of person that conducted the inspection;
- (2) the date of the inspection;
- (3) a list of any deficiencies discovered;
- (4) any recommendations for action; and
- (5) the date, time and description of any actions taken.

## **21.0 Complaints**

21.1 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:

- (1) The Owner shall record and number each complaint, either electronically or in a log book, and shall include the following information:
  - (a) the nature of the complaint;

- (b) the name, address and the telephone number of the complainant if the complainant will provide this information; and
  - (c) the time and date of the complaint;
  - (d) weather conditions at the time of the complaint; and
  - (e) Site operations being carried out at the time of the complaint.
- (2) The Owner shall inform the District Office of the complaint forthwith.
- (3) The Owner 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.
- (4) The Owner shall provide the District Office with a report written within one (1) week of the complaint date, listing the actions taken regarding the complaint and any recommendations for remedial measures, and managerial or operational changes to reasonably avoid the recurrence of similar incidents.

## **22.0 Spill Response and Spill Prevention and Emergency Response Plan**

- 22.1 The Owner shall promptly take all necessary steps to contain and clean up any spills or upsets which result from this operation. All spills and upsets shall be recorded in a written log or an electronic file format, as to the nature of the spill or upset, and action taken for clean-up, correction and prevention of future occurrences.
- 22.2 All spills, as defined in the EPA, shall be immediately reported to the Ministry's Spill Action Centre at 1-800-268-6060 and to the local municipal authority.
- 22.3 Within thirty (30) days of the issuance of this Approval, the Owner shall prepare a Spill Prevention and Emergency Response Plan for the Site. The plan shall include, but not necessarily be limited to:
- (1) emergency response procedures to be undertaken in the event of a spill or process upset,
  - (2) a list of equipment and spill clean up materials available in case of an emergency;
  - (3) contingency procedures to be followed in the event of equipment malfunction, a labour disruption, transportation disruption, inability of receiving sites to accept waste or other business disruption to the operation; and
  - (4) notification protocol with names and telephone numbers of persons to be contacted, including persons responsible for the Site, the Ministry's District Office and Spills Action Centre, the local municipal fire department, the local municipal authority, the local Medical Officer of Health, the Ministry of Labour, and the names and telephone numbers of waste management companies available for emergency response.
- 22.4 The equipment, materials and personnel requirements outlined in the Spill Prevention and

Emergency Response Plan are required to be kept on-site and shall be immediately available for use at all times. The equipment shall be kept in a good state of repair and in a fully operational condition.

## **23.0 Training**

23.1 Within thirty (30) days of the issuance of this Approval, the Owner shall develop and implement a training plan specific to the Site to ensure that all employees that operate the Site or carry out any activity required under this Approval are trained in its operation.

23.2 The training plan shall require and ensure through written records that all persons directly involved with activities relating to the Site have been trained with respect to:

- (1) relevant waste management legislation, regulations and guidelines;
- (2) major environmental concerns pertaining to the waste to be handled;
- (3) occupational health and safety concerns pertaining to the processes to be carried out and the wastes to be handled;
- (4) the Spill Prevention and Emergency Response Plan and any other procedures to be employed in the event of an emergency;
- (5) specific written procedures for refusal of unacceptable waste loads;
- (6) contingency procedures;
- (7) specific written procedures for the control of nuisance conditions; and
- (8) the requirements of this Approval.

23.3 The Owner shall maintain on-site a written record of training which includes:

- (1) the date of training;
- (2) the name and signature of the person who has been trained; and
- (3) a description of the training provided.

23.4 The Owner shall ensure that Trained Personnel are on duty at all times when the Site is open to carry out any activity permitted under this Approval.

## **24.0 Record Keeping**

24.1 The Owner shall maintain a daily record on-site, either electronically or in a log book, which shall include the following information:

- (1) the type, quantity and source of all waste received at the Site, including the date and time of arrival, manifest information, and all supporting documentation submitted with the waste;
- (2) the type, quantity and destination of all waste transferred from the Site, including the date and time of transfer;
- (3) a record of any waste refusals, including the type, quantity and source of any waste refused, reasons for refusal and a description of any further actions taken;
- (4) a record of the daily inspections required by this Approval;
- (5) a record of any complaints received; and
- (6) a record of any spills or process upsets at the Site, including the nature of the spill or process upset and the action taken for the clean-up or correction of the incident, 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.

## **25.0 Annual Report**

25.1 By March 31 on an annual basis, the Owner shall prepare a written annual report covering the previous calendar year. The report shall be maintained on-site, and shall include, at a minimum, the following information:

- (1) a summary of the information required under Condition 24.1(1) and 24.1(2), including an annualized reconciliation between all wastes received at the Site and all wastes transferred from the Site;
- (2) a summary of the information required under Condition 24.1(3), 24.1(4), 24.1(5) and 24.1(6) above; and
- (3) any recommendations to minimize environmental impacts from the operation of the Site and to improve Site operations and monitoring programs in this regard.

## **26.0 Closure**

26.1 (1) No less than three (3) months prior to the permanent closure of the Site, the Owner shall submit to the District Manager written notification of the decision to cease waste management activities at the Site and a schedule for the cessation of activities. In the event of an unplanned permanent closure of the Site or indefinite cessation of Site

activities, the Owner shall submit the above noted information to the District Manager forthwith.

- (2) Within ten (10) days after closure of the Site, the Owner shall notify the Director and the District Manager, in writing, that the Site is closed and that the decommissioning activities have been completed.

## SCHEDULE "A"

*This Schedule "A" forms part of this Environmental Compliance Approval:*

1. Application for an Environmental Compliance Approval, submitted by Stelco Inc. and signed by Andrew Sebestyen, Stelco Inc., dated June 4, 2021, including all attached supporting information and revised on October 15, 2021.
2. E-mail dated August 25, 2021 from Parvaneh Chamaneh, Stelco Inc., to David Lee, Senior Review Engineer, Ministry of the Environment, Conservation and Parks revising the ECA application, including all attachments and attached information.
3. Engineer's Report for Stelco Canada Inc. (Hamilton Works), Revision no. 2, dated October 13, 2021, prepared by GHD Consultants.
4. E-mail dated October 15, 2021 from Andrew Sebestyen, Stelco Inc., to David Lee, Senior Review Engineer, Ministry of the Environment, Conservation and Parks revising the ECA application, including all attachments and attached information.
5. E-mail dated October 15, 2021 from Parvaneh Chamaneh, Stelco Inc., to David Lee, Senior Review Engineer, Ministry of the Environment, Conservation and Parks revising the ECA application, including all attachments and attached information.
6. E-mail dated October 20, 2021 from Parvaneh Chamaneh, Stelco Inc., to David Lee, Senior Review Engineer, Ministry of the Environment, Conservation and Parks revising the ECA application, including all attachments and attached information.
7. Report dated November 4, 2021, to Ms. Parvaneh Chamaneh, Senior Environmental Specialist, Stelco - Hamilton Works, re: Tank 25 Environmental Protection, ECA application 4986-C3NQTS, prepared by Fred Taylor, P. Eng., Principal, GHD, including all attached figures and drawings.
8. Letter dated December 2, 2021, to Parvaneh Chamaneh, Senior Environmental Specialist, Stelco - Hamilton Works, re: Tank 25 Environmental Protection, ECA application 4986-C3NQTS, prepared by Fred Taylor, P. Eng., Principal, GHD, including all attached figures and drawings.

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

The reason for the Conditions in sections 1.0, 3.0, 4.0, 5.0 and 9.0 is to clarify the legal rights and responsibilities of the Owner and Operator.

The reason for the Conditions in sections 2.0, 10.0, 16.0, 17.0 and 18.0 is to ensure that the Site is operated in accordance with the application and supporting documentation submitted by the Company, and not in a manner which the Director has not been asked to consider.

The reasons for Condition 6.1 is to ensure that the Site is operated under the corporate name which appears on the application form submitted for this ECA and to ensure that the Director is informed of any changes.

The reasons for Condition 6.2 are to restrict potential transfer or encumbrance of the Site without the approval of the Director and to ensure that any transfer of encumbrance can be made only on the basis that it will not endanger compliance with this ECA.

The reason for the Conditions in section 7.0 is to ensure that sufficient funds are available to the Ministry to clean up the Site in the event that the Company is unable or unwilling to do so.

The reason for Conditions in section 8.0 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 ECA. This Condition is supplementary to the powers of entry afforded a Provincial Officer pursuant to the EPA and OWRA.

The reason for Condition 11.1 and 11.2 is to specify the approved service area from which waste may be accepted at the Site.

The reason for Condition 11.3 is to specify the hours of operation for the Site.

The reason for Condition 12.1 is to ensure that users of the Site are fully aware of important information and restrictions related to Site operations and access under this ECA.

The reason for Condition 12.2 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.

The reasons for Condition 13.1, and the conditions in sections 14.0, and 15.0 are to specify the types of waste that may be accepted at the Site, the amounts of waste that may be stored at the Site and the maximum rate at which the Site may receive and ship waste based on the Owner's application and supporting documentation.

The reason for Condition 13.2 is to ensure that all wastes are properly screened before being received at the Site for processing.

The reason for Conditions in section 19.0 is to ensure that the Site is operated in a manner which does not result in a nuisance or a hazard to the health and safety of the environment or people.

The reason for the Conditions in section 20.0 is to ensure that detailed records of Site inspections are recorded and maintained for inspection and information purposes.

The reason for the Conditions in section 21.0 is to ensure that any complaints regarding Site operations at the Site are responded to in a timely manner.

The reasons for the Conditions in section 22.0 is to ensure that spills and emergencies are responded to in an appropriate and expeditious manner, that a Spill Prevention and Countermeasures 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 spill response procedures.

The reason for the Conditions in section 23.0 is to ensure that the Site is operated by properly Trained staff in a manner which does not result in a hazard or nuisance to the natural environment or any person.

The reason for the Conditions in section 24.0 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 ECA, the EPA and its regulations.

The reasons for the Conditions in section 25.0 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.

The reason for the Conditions in section 26.0 is to ensure that the Site is closed in accordance with Ministry standards and to protect the health and safety of the public and the environment.

In accordance with Section 139 of the *Environmental Protection Act*, you may by written notice served upon me, the Ontario Land 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 ("the Notice") 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:

Registrar\*  
Ontario Land Tribunal  
655 Bay Street, Suite 1500  
Toronto, Ontario  
M5G 1E5  
OLT.Registrar@ontario.ca

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 Ontario Land Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349 or 1 (866) 448-2248, or [www.olt.gov.on.ca](http://www.olt.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 20th day of December, 2021



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

DL/

c: District Manager, MECP Hamilton - District  
Andrew Sebestyen and Parvaneh Chamaneh, Stelco Inc.