

**AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER A270504

Issue Date: March 7, 2022

792485 Ontario Limited  
207 Durham Rd E P.O. Box 367  
Brockton, Ontario  
N0G 2V0

Site Location: 528 Durham Street East  
and William Street North  
Brockton Municipality, County of Bruce  
N0G 2V0

*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:*

For the closure and monitoring of a 1.19 hectare waste disposal site within a total area of 7.03 hectares, which previously served the former Canada Spool & Bobbin Co. Ltd.

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

**"Approval" or "ECA"** means this entire Environmental Compliance Approval document, issued in accordance with Section 20.3 of the *EPA* , and includes any schedules to it, the application and the supporting documentation listed in schedule "A";

**"Company or Owner"** means means any person that is responsible for the establishment or operation of the site being approved by this ECA, and includes 792485 Ontario Limited.

**"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 for the Region in which the Site is geographically located;

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

“**Ministry** ” refers to the Ontario Ministry of the Environment, Conservation and Parks;

"**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;

"**Site**" means the above mentioned and described waste disposal site for the former Canada Spool & Bobbin Co. Ltd., located at:

All of Lots 15 through 24, all inclusive, West of Boulton Street, and  
All of Lots 15 through 24, all inclusive, East of Queen Street, and  
All of Lots 15 through 22, all inclusive, West of Queen Street, and  
All of Queen Street, and Part of Boulton Street, and Part of Church Street,

in the Municipality of Brocton, County of Bruce, formerly the Town of Walkerton,

all in Registered Plan 14, and  
Part of Park Lot 25, Registered Plan 38, and Part of Park Lot 32, Registered Plan 162,  
all shown on Reference Plan 3R-7942, dated July 27, 2004, prepared by Coyne & Whale  
Surveying Limited, Drawing Number 7547-2004-007

*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

- (1) Except as otherwise provided by these conditions, the Site shall be designed, developed, used, maintained and operated, and all facilities, equipment and fixtures shall be built and installed, in accordance with the Application for a Certificate of Approval for a Waste Disposal Site dated November 15, 1991, and supporting documentation, and plans and specifications listed in Schedule "A".
- (2) The requirements specified in this Approval are the requirements under the **Environmental Protection Act**, R.S.O. 1990. The issuance of this Approval in no way abrogates the Owner's legal obligations to take all reasonable steps to avoid violating other applicable provisions of this legislation and other legislation and regulations.
- (3) 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, the application of such requirement to other circumstances and the remainder of this Approval shall not be affected in any way.
- (4) The Owner shall ensure compliance with all the terms and conditions of this Approval. Any non-compliance constitutes a violation of the **Environmental Protection Act**, R.S.O. 1990 and is grounds for enforcement.

- (5) (a) The Owner shall, forthwith upon request of the Director, District Manager, or Provincial Officer (as defined in the Act), furnish any information requested by such persons with respect to compliance with this Approval, including but not limited to, any records required to be kept under this Approval; and
- (b) In the event the Owner provides the Ministry with information, records, documentation or notification in accordance with this Approval (for the purposes of this condition referred to as "Information"),
- (i) the receipt of Information by the Ministry;
  - (ii) the acceptance by the Ministry of the Information's completeness or accuracy;
- or
- (iii) the failure of the Ministry to prosecute the Owner, or to require the Owner to take any action, under this Approval or any statute or regulation in relation to the Information;

shall not be construed as an approval, excuse or justification by the Ministry of any act or omission of the Owner relating to the Information, amounting to non-compliance with this Approval or any statute or regulation.

- (6) The Owner shall allow Ministry personnel, or a Ministry authorized representative(s), upon presentation of credentials, to:
- (a) carry out any and all inspections authorized by Section 156, 157 or 158 of the **Environmental Protection Act**, R.S.O. 1990, Section 15, 16 or 17 of the **Ontario Water Resources Act**, R.S.O. 1990, or Section 19 or 20 of the **Pesticides Act**, R.S.O. 1990, as amended from time to time, of any place to which this Approval relates; and,

without restricting the generality of the foregoing, to:

- (b) (i) enter upon the premises where the records required by the conditions of this Approval are kept;
  - (ii) have access to and copy, at reasonable times, any records required by the conditions of this Approval;
  - (iii) inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations required by the conditions of this Approval; and
  - (iv) sample and monitor at reasonable times for the purposes of assuring compliance with the conditions of this Approval.
- (7) (a) Where there is a conflict between a provision of any document referred to in Schedule "A", and the conditions of this Approval, the conditions in this Approval shall take precedence; and

- (b) Where there is a conflict between documents listed in Schedule "A", the document bearing the most recent date shall prevail.
- (8) The Owner shall ensure that all communications/correspondence made pursuant to this Approval includes reference to the Approval number.
  - (9) The Owner shall notify the Director in writing of any of the following changes within thirty (30) days of the change occurring:
    - (a) change of Owner or operator of the Site or both;
    - (b) change of address or address of the new Owner;
    - (c) change of partners where the Owner or operator is or at any time becomes a partnership, and a copy of the most recent declaration filed under the **Business Names Act**, 1991 shall be included in the notification to the Director;
    - (d) any change of name of the corporation where the Owner or operator is or at any time becomes a corporation, and a copy of the most current "Initial Notice or Notice of Change" (form 1 or 2 of O. Reg. 182, Chapter C-39, R.R.O. 1990 as amended from time to time), filed under the **Corporations Information Act** shall be included in the notification to the Director; and
    - (e) change in directors or officers of the corporation where the Owner or operator is or at any time becomes a corporation, and a copy of the most current "Initial Notice or Notice of Change" as referred to in 9(d), supra.
  - (10) In the event of any change in ownership of the Site, the Owner shall notify, in writing, the succeeding owner of the existence of this Approval, and a copy of such notice shall be forwarded to the Director.
  - (11) Any information relating to this Approval and contained in Ministry files may be made available to the public in accordance with the provisions of the **Freedom of Information and Protection of Privacy Act**, R.S.O. 1990, C. F-31.
  - (12) All records and monitoring data required by the conditions of this Approval must be kept on the Owners's premises for a minimum period of two (2) years from the date of their creation.

#### **CERTIFICATE OF REQUIREMENT**

- (13) Pursuant to Section 197 of the **Environmental Protection Act**, R.S.O. 1990, no person having an interest in the Site shall deal in any way with the Site without first giving a copy of this Approval to each person acquiring an interest in the Site as a result of the dealing.
- (14) The Owner shall ensure that the Certificate of Requirement is registered in the appropriate land

registry office on title to the Site.

- (15) The Lands immediately south of this Site have been determined to not be required for Contaminant Attenuation purposes and therefore can be removed from title as part of this site. These lands are illustrated and described in Reference Plan 3R-7941, which is Item 7 of Schedule "A" of this Approval.

## **SITE MAINTENANCE**

- (16) A 30 metre buffer zone shall be maintained around the south and east perimeters of the closed waste disposal site.
- (17) The integrity of the closed waste disposal site shall be maintained as directed by the District Manager as per Section 9, page 3 of Item (2) of Schedule "A".
- (18) The Owner shall ensure that preventative measures are in place to prevent off Site impacts such as dust, litter, noise, traffic, and mud resulting from the operations at the Site.
- (19) The Owner shall ensure that an appropriate geotextile silt fence is erected along the toe of the fill slope to prevent sedimentation at Saugeen River.
- (20) The Owner shall ensure that clean fill piles are spread in a timely manner with final slopes not exceeding 10H:1V to minimize erosion and surface water run off.
- (21) Unless a written application has been received by the Director for approval of waste removal and or waste mining activities at the Site, as part of the long term pre-development plans at this Site (subject to appropriate approvals), the Owner shall ensure that the area where clean fill is applied, receives a layer of top soil and is seeded to establish vegetative cover.

## **WASTE MINING**

- (22) The Owner may conduct waste mining operations at the Site in accordance with Items 9 and 10 of Schedule "A".
- (23) Waste mining operations including, but not limited to, excavation, stockpiling and transport, shall only be conducted at the Site between the hours of 7:00 a.m. to 5:30 p.m. and only at times when a adequately trained Site Supervisor is present to oversee the operations at the Site.
- (24) Waste mining operations, including excavation, stockpiling and transfer of all waste, shall be conducted in accordance with the EPA, Regulation 347, and the conditions of this ECA. At no time shall the discharge of any contaminant that causes or is likely to cause an adverse effect be permitted.

- (25) Waste mining operations shall be conducted in a manner such that the vermin, vectors, dust, litter, odour, noise and traffic do not create a nuisance.
- (26) Residual waste from the waste mining may be stockpiled within the landfill footprint on a temporary basis. The residual waste stockpiles shall be removed and the waste shall be disposed of at approved waste disposal sites within 30 days of the completion of the mining operations.
- (27) The Owner shall notify the District Manager in writing prior to the commencement of the mining activities.
- (28) The Owner shall keep the operational records including the tonnage of the waste removed, recycled, and stockpiled, and report to the District Manager upon completion of the mining operations.

## SCHEDULE "A"

This Schedule "A" forms part of this Environmental Compliance Approval A 270504

1. Application for a Certificate of Approval for the closure and monitoring of a closed waste disposal site, dated November 15th, 1991, submitted by 927181 Ontario Inc., R. R. #2, Allenford, Ontario N0H 1A0.
2. "Landfill Site Closure Program, Canada Spool and Bobbin Co. Ltd., Walkerton, Ontario". dated October 1990, prepared by Gamsby and Mannerow Limited, and submitted by 927181 Ontario Inc., R. R. #2, Allenford, Ontario N0H 1A0.
3. "Waste Disposal Site Closure, Former Canada Spool and Bobbin Co. Ltd., Property, Town of Walkerton, County of Bruce", dated November 1991, prepared by Gamsby and Mannerow Limited, and submitted by 927181 Ontario Inc., R. R. #2, Allenford, Ontario N0H 1A0.
4. "Reference Plan 3R-5562", prepared by J. C. Milne, Ontario Land Surveyor, dated January 3rd, 1992 and received and deposited January 10th, 1992.
5. Application for a Provisional Certificate of Approval for a Waste Disposal Site submitted by 1589974 Ontario Limited, dated October 15, 2004.
6. Reference Plan 3R-7942, which illustrates the property associated with the waste disposal site, prepared by Coyne & Whale Surveying Limited, dated July 27, 2004, Drawing Number 7547-2004-007.
7. Reference Plan 3R-7941, which illustrates the property severed from the waste disposal site, prepared by Coyne & Whale Surveying Limited, dated July 27, 2004, Drawing Number 7547-2004-006.
8. Letter to the Ministry of the Environment, stating the severed lands are not required for contaminant attenuation purposes, prepared by Chung & Vander Doelen Engineering Ltd., dated December 22, 2004.
9. Environmental Compliance Approval Application signed by Steve Cuneo dated March 1, 2021, for approval of the waste mining at the landfill site.
10. Email dated January 19, 2022 from Steve Cuneo, Cuneo's Carpet Once Floor & Homes to Rick Li, Ministry of the Environment, Conservation and Parks providing a response to the Ministry's review comments on the waste mining operations.

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

1. The reason for Condition (1) 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.

2. The reason for Conditions (2), (3), (4), (7), (8), (9), (10), (11) and (12) is to clarify the legal rights and responsibilities of the Company or Owner.
3. The reason for Condition (5) and (6) is to ensure that the appropriate Ministry staff have ready access to information and the operations of the Site which are approved under this Approval. Condition (6) is supplementary to the powers of entry afforded a Provincial Officer pursuant to the **Environmental Protection Act**, the **Ontario Water Resources Act**, and the **Pesticides Act**, as amended.
4. The reason Conditions (13) and (14) are included, pursuant to subsection 197(1) of the EPA, is to provide that any persons having an interest in the Site are aware that the land has been approved and used for the purposes of waste disposal.
5. The reason for Condition (15) is that these lands to the south of the landfill Site are not required for purposes associated with that Site.
6. The reason for Condition (16) is to provide a protection zone should environmental deterioration be determined around the perimeter of the closed waste disposal site.
7. The reason for Condition (17) is to ensure the integrity of the closed waste disposal site and to provide for corrective measures should environmental deterioration occur at the site.
8. The reasons for Conditions (18), (19), (20) and (21) are to ensure that preventative measures are in place to prevent off Site adverse impacts.
10. The reason for (22) to (28) is to approve waste mining operations at the Site and to ensure the operations are conducted in an environmentally responsible manner and not in a manner which the Director has not been asked to consider.

**Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). A270504 issued on January 13, 2005**

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.

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:

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 7th day of March, 2022



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Mohsen Keyvani, P.Eng.

Director

appointed for the purposes of Part II.1 of the  
*Environmental Protection Act*

RL/

c: District Manager, MECP Owen Sound  
Neil McLean, McLean Environmental