

**AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER A531404  
Issue Date: April 14, 2022

Anderson Trucking Ltd.  
22 Chenier Rd  
Mattawa, Ontario  
P0H 1V0

Site Location: Former Tembec Sawmill Landfill  
4829 Highway 17 W  
Mattawa Town, District of Nipissing  
P0H 1V0

*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:*

the reclamation of woodwaste from a closed 6.34 hectare woodwaste landfill located within a total site area of 80.94 hectares

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

"Adverse Effect" has the same meaning as defined in the EPA;

"Approval" means this entire Environmental Compliance Approval and any Schedules attached to it;

"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 appropriate local district office of the Ministry, where the Site is geographically located;

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

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

"Ministry" means the ministry of the government of Ontario responsible for the EPA and OWRA and

includes all officials, employees or other persons acting on its behalf;

"NMA" means the Nutrient Management Act, 2002, S.O. 2002, c. 4;

"Ontario Drinking Water Quality Standards" means Ontario Regulation 169/03: (Ontario Drinking Water Quality Standards), made under the SDWA;

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

"Owner" means any person that is responsible for the establishment or operation of the Site being approved by this Approval, and includes Anderson Trucking Ltd. and 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, Section 5 of the EPA, Section 17 of the PA, Section 4 of the NMA, or Section 8 of the SDWA;

"PWQO" means the Provincial Water Quality Objectives included in the Ministry Publication "Water Management Policies, Guidelines, Provincial Water Quality Objectives", dated July 1994, as amended;

"O. Reg. 232/98" means Ontario Regulation 232/98: (Landfilling Sites), made under the EPA;

"Reg. 347" means Revised Regulations of Ontario 1990, Regulation 347: (General - Waste Management), made under the EPA;

"Reg. 903" means Revised Regulations of Ontario 1990, Regulation 903: (Wells), made under the OWRA;

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

"RUC" means the Ministry's Guideline B-7 (Incorporation of the Reasonable Use Concept into MOE Groundwater Management Activities);

"Schedules" means the following schedules attached to this Approval and forming part of this Approval namely:

- (1) Schedule "A" - Supporting Documentation
- (2) Schedule "B" - Surface Water Monitoring Program
- (3) Schedule "C" - Groundwater Monitoring Program

"SDWA" means the Safe Drinking Water Act, 2002, S.O. 2002, c. 32;

"Site" means the entire waste disposal site, including the buffer lands, and contaminant attenuation zone located at 4829 Highway 17 W, on Part of Lot 21, Concession 15 in Papineau Township, District of Nipissing.

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

- (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 waste to be handled;
- (4) emergency response procedures;
- (5) specific written procedures for the control of nuisance/upset conditions; and
- (6) the requirements of this Approval.

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

## **TERMS AND CONDITIONS**

### **1. Compliance**

- (1) The Owner shall ensure compliance with all the conditions of this Approval and shall ensure that any person authorized to carry out work on or operate any aspect of the Site is notified of this Approval and the conditions herein and shall take all reasonable measures to ensure any such person complies with the same.
- (2) Any person authorized to carry out work on or operate any aspect of the Site shall comply with the conditions of this Approval.

### **2. In Accordance**

- (1) Except as otherwise provided by this Approval, the Site shall be designed, developed, built, operated and maintained in accordance with the documentation listed in the attached Schedule "A".
- (2) Commencement of the reclamation approved in this Approval must be initiated within 5 years of the later of:
  - (a) the date this Approval; 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.

### **3. Interpretation**

- (1) Where there is a conflict between a provision of any document listed in Schedule "A" in

this Approval, and the conditions of this Approval, the conditions in this Approval shall take precedence.

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

#### **4. Other Legal Obligations**

- (1) The issuance of, and compliance with, this Approval does not:
  - (a) relieve any person of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement; 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.

#### **5. Adverse Effect**

- (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.
- (2) 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.

#### **6. Change of Ownership**

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

- (a) the ownership of the Site;
  - (b) the Operator of the Site;
  - (c) the address of the Owner or Operator; and
  - (d) the partners, where the Owner or Operator is or at any time becomes a partnership and a copy of the most recent declaration filed under the Business Names Act, R. S. O. 1990, c. B.17, shall be included in the notification.
- (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.
- (3) In the event of any change in ownership of the Site, the Owner shall notify the successor of and provide the successor with a copy of this Approval, and the Owner shall provide a copy of the notification to the District Manager and the Director.

## **7. Information and Record Retention**

- (1) Except as authorized in writing by the Director, all records required by this Approval shall be retained at the Site for a minimum of two (2) years from their date of creation.
- (2) The Owner shall retain all documentation listed in Schedule "A" for as long as this Approval is valid.
- (3) The Owner shall retain employee training records as long as the employee is working at the Site.
- (4) The Owner shall make all of the above documents available for inspection upon request of Ministry staff.
- (5) 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.
- (6) The Owner shall ensure that a copy of this Approval, in its entirety and including all its Notices of Amendment, if any, and documentation listed in Schedule "A", are retained at the Site at all times.
- (7) Any information related to this Approval and contained in Ministry files may be made available to the public in accordance with the provisions of the Freedom of Information

and Protection of Privacy Act, RSO 1990, CF-31.

## **8. Inspections by the Ministry**

- (1) No person shall hinder or obstruct a Provincial Officer from carrying out any and all inspections authorized by the OWRA, the EPA, the PA, the SDWA or the NMA, of any place to which this Approval relates, and without limiting the foregoing:
  - (a) to enter upon the premises where the approved works are located, or the location where the records required by the conditions of this Approval are kept;
  - (b) to have access to, inspect, and copy any records required to be kept by the conditions of this Approval;
  - (c) to inspect the Site, related equipment and appurtenances;
  - (d) to inspect the practices, procedures, or operations required by the conditions of this Approval; and
  - (e) to sample and monitor for the purposes of assessing compliance with the terms and conditions of this Approval or the EPA, the OWRA, the PA, the SDWA or the NMA.

## **9. Landfill Closure and Site Security**

- (1) The Site shall not receive any waste for disposal nor be used to dispose of any waste within the landfill.
- (2) The Site shall be operated and maintained in a safe and secure manner. During non-operating hours, the Site entrance and exit gates shall be locked and the Site shall be secured against access by unauthorized persons.

## **10. Waste Reclamation**

The Owner may conduct waste reclamation operations in accordance with Items 4 through 7 of Schedule "A" and in accordance with the following sub-conditions:

- (a) No waste shall be reclaimed from the Site unless a site supervisor or attendant trained in the requirements of this Approval is present and supervises the operations during operating hours.
- (b) Waste reclamation operations including, but not limited to, excavation, transport, transfer and processing of wood waste, shall only be conducted at the Site between the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday, and only at times when a adequately trained site supervisor or attendant is present to oversee the reclamation operations at the Site.

- (c) Waste reclamation operations including, but not limited to, excavation, transport, transfer and processing of wood waste, shall be conducted in accordance with the EPA, Reg. 347, and the conditions of this Approval. At no time shall the discharge of a contaminant that causes or is likely to cause an adverse effect be permitted.
- (d) Waste reclamation operations shall be conducted in a manner such that vermin, vectors, dust, litter, odour, noise and traffic do not create a nuisance and shall adhere to the best practices detailed in the Operations Manual amended as Item (5) of Schedule "A".
- (e) Waste reclamation shall occur first in the 2.53 hectare area of the landfill footprint which does not have a landfill cap installed to minimize infiltration.
- (f) Waste reclamation operations that are conducted on the capped area of the landfill shall be conducted in a manner which minimizes exposure of excavated wood waste to the environment;
- (g) The wood waste processing and stockpiling locations shall be limited to those detailed in the Operations Manual amended as Item (5) of Schedule "A";
- (h) Approved processing at the Site is limited to the mechanical sorting, screening and grinding of excavated wood waste; and
- (i) Wood waste stockpiles (both processed and unprocessed) shall not exceed the size and dimensions detailed in the Operations Manual and shall be managed in a manner which minimizes erosion by maintaining appropriate side slopes for the waste.

## **11. Surface Water Management**

- (1) The Owner shall maintain grading at the Site such that all surface water run-off from the landfilling area and waste processing and stockpiling areas is directed to perimeter ditches and eventually to the wetland areas along the northern and eastern landfilling area boundaries.
- (2) The Owner shall conduct the monthly inspections of perimeter ditches from April until December. If perimeter ditches become plugged or damaged, the Owner shall undertake necessary remediation measures within three days following the day of inspection (weather permitted).

## **12. Nuisances**

- (1) Notwithstanding condition 10(b) above, Site shall be operated and maintained such that the vermin, vectors, dust, litter, odour, noise and traffic do not create a nuisance.

### **13. Site Inspections**

- (1) The Owner and/or Operator shall continue to inspect the landfilling areas not undergoing reclamation on an annual basis during periods of time when weather will not affect the quality of the inspections, for the following items:
  - (a) state of perimeter ditching;
  - (b) condition of any interim or final cover;
  - (c) evidence of vegetative stress;
  - (d) state of perimeter fencing;
  - (e) presence of leachate seeps;
  - (f) presence of ponded water;
  - (g) condition of groundwater monitoring wells;
  - (h) evidence of erosion; and
  - (i) evidence of settlement.
- (2) The Owner and/or Operator shall also conduct inspections of the waste reclamation and processing operation during days of operation to ensure the following:
  - (a) the Site is secure;
  - (b) the reclamation and/or processing operation is not the cause of any nuisances or adverse effects;
  - (c) the reclamation and/or processing operation is not causing any adverse effects.
- (3) A record of the inspections shall be kept that includes:
  - (a) the name and signature of person who conducted the inspection;
  - (b) the date and time of the inspection;
  - (c) the list of any deficiencies discovered;
  - (d) the recommendations for remedial action; and
  - (e) the date, time and description of actions taken.

### **14. Environmental Monitoring Program**

- (1) Surface water monitoring shall be conducted by the Owner in accordance with Schedule "B".
- (2) By no later than April 30, 2022, the Owner shall, in consultation with the Ministry, install a new background surface water sampling station to be incorporated in to the monitoring program detailed in Schedule "B", for determining background contaminant levels and baseline conditions to develop appropriate trigger criteria.
- (3) Groundwater monitoring shall be conducted by the Owner in accordance with Schedule "C".



- (4) A water well survey on Chant Plain Lake Road shall be conducted by the Owner within one month after the issuance of this Certificate. The results of this survey shall be discussed with the District Manager, with recommendations made for possible altering the groundwater monitoring program specified in Schedule "C".

## **15. Wells**

- (1) The Owner shall ensure that all groundwater monitoring wells which form part of the monitoring program are properly capped, locked and protected from damage.
- (2) Where reclamation or any waste management activities are to proceed around monitoring wells, suitable extensions shall be added to the wells and the wells shall be properly re-secured.
- (3) Any groundwater monitoring well included in the on-going monitoring program that is damaged shall be assessed, repaired, replaced or decommissioned by the Owner, as required.
- (4) The Owner shall repair or replace any monitoring well which is destroyed or in any way made to be inoperable for sampling such that no more than one regular sampling event is missed.
- (5) All monitoring wells which are no longer required as part of the groundwater monitoring program, and have been approved by the Director for abandonment, shall be decommissioned by the Owner, as required, in accordance with Reg. 903, to prevent contamination through the abandoned well. A report on the decommissioning of the well shall be included in the Annual Report for the period during which the well was decommissioned.

## **16. Trigger Mechanisms and Contingency Plans**

- (1) In the event of a confirmed exceedance of a site-specific trigger level relating to leachate mounding or groundwater or surface water impacts due to leachate, the Owner shall notify the District Manager within seven (7) calendar days, and an investigation into the cause and the need for implementation of remedial or contingency actions shall be carried out by the Owner in accordance with the approved trigger mechanisms and associated contingency plans.

## **17. Changes to the Monitoring Programs, Trigger Mechanisms and Contingency Plans**

- (1) The Owner may request to make changes to the monitoring program(s), trigger mechanisms and/or contingency plan to the District Manager in accordance with the recommendations of the annual report. The Owner shall make clear reference to the proposed changes in a separate letter that shall accompany the annual report.
- (2) Within fourteen (14) days of receiving the written correspondence from the District

Manager confirming that the District Manager is in agreement with the proposed changes to the environmental monitoring program, trigger mechanisms and/or contingency plans, the Owner shall forward a letter identifying the proposed changes and a copy of the correspondences from the District Manager and all other correspondences and responses related to the changes, to the Director requesting the Approval be amended to approve the proposed changes to the environmental monitoring plan prior to implementation.

## **18. Financial Assurance**

- (1) Within thirty days issuance of this Approval, the Owner shall submit Financial Assurance as defined in Section 131 of the Act, in the amount of fifty thousand dollars (CAD 50,000.00).
- (2) By no later than March 31, 2025, the Owner shall increase the amount of Financial Assurance by an additional fifty thousand dollars, to a total of one hundred thousand dollars (CAD 100,000.00).
- (3) Commencing on March 31, 2026 and at intervals of three (3) years thereafter, the Owner shall submit to the Director, a re-evaluation of the amount of Financial Assurance, which may consider current site conditions and the progression of the wood waste reclamation operations, . The re-evaluation shall include an assessment based on any new information relating to the environmental conditions of the Site and shall include the costs of additional monitoring and/or implementation of contingency plans required by the Director upon review of any annual reports. The estimate shall be prepared in accordance with either the Ministry's Financial Assurance Guideline (Guideline F-15), updated April 2019, or with O. Reg. 232/98.
- (4) The amount of Financial Assurance is subject to review at any time by the Director and may be amended at his/her discretion. If any Financial Assurance is scheduled to expire or notice is received, indicating Financial Assurance will not be renewed, and satisfactory methods have not been made to replace the Financial Assurance at least sixty (60) days before the Financial Assurance terminates, the Financial Assurance shall forthwith be replaced by cash.

## **19. Complaint Response Procedure**

- (1) If at any time the Owner or Operator receives complaints regarding the operation of the Site, the Owner shall respond to these complaints according to the following procedure:
  - (a) The Owner shall record and number each complaint, either electronically or in a log book, and shall include the following information:
    - (i) the nature of the complaint;
    - (ii) the name, address and the telephone number of the complainant if the complainant will provide this information;
    - (iii) the time and date of the complaint;

- (iv) weather conditions at the time of the complaint; and
  - (v) Site operations being carried out at the time of the complaint.
- (b) The Owner shall inform the District Manager of the complaint forthwith.
  - (c) 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.
  - (d) The Owner shall provide the District Manager 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.

## 20. Annual Reporting

- (1) By March 31st, 2023, and on an annual basis thereafter, the Owner shall prepare and submit to the District Manager and Regional Director, an annual monitoring report covering the previous year which shall include, as a minimum, the following:
  - (a) a drawing(s) of the Landfill indicating all groundwater and surface water monitoring locations, static groundwater elevations and interpreted groundwater flow direction(s) for each monitoring event;
  - (b) borehole logs for all monitoring wells;
  - (c) hydrostratigraphic cross section(s) across the Site;
  - (d) tables outlining monitoring locations, analytical parameters sampled, and the frequency of sampling and measurements;
  - (e) groundwater and surface water monitoring results;
  - (f) drinking water well survey results;
  - (g) an analysis and interpretation of the groundwater and surface water monitoring data, a review of the adequacy of the monitoring programs, conclusions of the monitoring data and recommendations for any changes in monitoring programs that may be necessary;
  - (h) graphs of key indicator parameters concentrations over time relative to the PWQO, RUC and Ontario Drinking Water Quality Standards;
  - (i) an assessment of surface water quality in relation to the PWQO;
  - (j) an assessment of groundwater quality in relation to the RUC (especially near the northern property boundary) and/or the Ontario Drinking Water Quality Standards (especially near surface water);
  - (k) recommendations for additional monitoring wells including a background bedrock monitoring well and sentry well(s) between the Site and drinking water wells on adjacent downgradient properties;
  - (l) a summary of inspections;
  - (m) a summary of complaints made regarding reclamation operations, and the Owner's response and action taken; and
  - (n) All waste reclamation data including, but not limited to:

- (i) drawings detailing the areas of the landfill which have been excavated,
  - (ii) volume of waste reclaimed from the landfill,
  - (iii) amount of processed woodwaste transferred from the Site,
  - (iv) amount of woodwaste which remains stockpiled,
  - (v) a summary of the progression of the reclamation operation including the duration of time remaining expected to complete the project; and
  - (vi) drawings detailing areas of the Site which the Operator intends to excavate and process in the forthcoming reporting period.
- (2) All monitoring and sampling data submitted with the Annual report above shall be provided in an editable electronic format (e.g. .xls or .csv)

## **21. Completion of Reclamation and Updated Closure Plan**

- (1) At least four (4) years prior to the anticipated completion of reclamation operations, the Owner shall submit an updated plan for the closure, post-closure, long term maintenance, long term monitoring, and end use of the Site, to the Director for approval. The plan shall include:
- (a) operation plans up to site closure;
  - (b) plans showing the site appearance after closure including final contours and grading plans;
  - (c) a description of the proposed end use of the site including the proposed vegetative cover, landscaping plans, and post-closure ownership of the site;
  - (d) descriptions of the procedures for closure of the site, including:
    - (i) details on final grading, cover methods and source of cover materials, where required;
    - (ii) completion, inspection and maintenance of the final cover and/or landscaping;
    - (iii) site security;
    - (iv) removal of unnecessary structures, buildings and facilities; and
    - (v) final construction of any control, treatment, disposal and monitoring facilities, if required, for leachate, groundwater, surface water and/or landfill gas.
  - (e) descriptions of the procedures and proposed schedules for the post-closure care of the Site, including:
    - (i) operation, inspection, and maintenance of the control, treatment, disposal and monitoring facilities for leachate, groundwater, surface water, and landfill gas, if required;
    - (ii) proposed long term groundwater, surface water, and gas monitoring programs; and
    - (iii) record keeping and reporting.

- (f) an assessment of the adequacy of and need to implement the contingency plans for groundwater, surface water, and landfill gas control problems; and
- (g) an updated estimate of the contaminating life span, based on the results of the monitoring to date.

## **SCHEDULE "A" - SUPPORTING DOCUMENTATION**

This Schedule "A" forms part of this Approval.

1. Tembec Landfill Site, Mattawa, Hydrogeological Investigation Report prepared by Proctor & Redfern Limited and dated February, 1999.
2. Tembec Landfill Site, Mattawa, Closure Plan prepared by Tembec Inc. and dated August, 2001.
3. Letter from K. Lepoudre, Tembec Inc. to E. Zaltsberg, Ministry of the Environmental, dated August 26, 2001, RE: Response to the Ministry's letter of August R, 2001.
4. Environmental Compliance Approval Application dated April 20, 2021, signed by Garry Anderson, Owner, Anderson Trucking Ltd. including all attached supporting information.
5. Document entitled "Operations Manual, Mattawa Wood Waste Landfill", dated October 2021, prepared by Environmental Ecosystems Inc. on behalf of Gro-Bark (Ontario) Ltd. (Walker Industries) including all drawings, figures and appendices.
6. Document entitled "Revised Monitoring Plan, Environmental Management COA No. A 531404, Mattawa Wood Waste Landfill", dated October 13, 2021, prepared by Environmental Ecosystems Inc.
7. Letter dated October 18, 2021, to David Lee, Senior Review Engineer, Ministry of the Environment, Conservation and Parks, from Francois Pugh, Senior Environmental Engineer, Environmental Ecosystems Inc. including all attachments.

## **SCHEDULE "B" - SURFACE WATER MONITORING PROGRAM**

This Schedule "B" forms part of this Approval.

### 1. Objectives

The objectives for the surface water-monitoring program are:

- to evaluate background surface water quality;
- to evaluate the landfill and reclamation operations' impact on surface water quality downstream of the landfill; and
- to determine the need for contingency implementation.

### 2. Monitoring Plan

The surface water monitoring plan shall be carried out by the Owner to address the stated objectives and shall include the following:

#### 2.1 Stations

The surface water stations to be monitored are as follows:

- a background surface water monitoring station to be determined in consultation with the Ministry;
- SW1 Culvert on Lake Road, where Lake Road runs east to west on the north side of the Site, draining the northeast area of the Site;
- SW2 Culvert No. 1 on Lake Road, which runs north to south on the east side of the Site,
- the ditch on the south side of Lake Road upstream of SW1;
- WD located just upstream of the landfill area in a ditch that runs along the west side of the Site
- An upstream location in Lake Chant Plein/Mattawa River, to be determined in consultation with the Ministry;
- A downstream location in Lake Chant Plein/Mattawa River, to be determined in consultation with the Ministry; site boundary, upstream of the landfilling area;
- L-1 in the ponded area along the northern landfilling area boundary;

#### 2.2 Sampling Frequency

Water samples shall be taken twice a year, after spring thaw and before fall frost.

#### 2.3 Sample Analysis

The list of parameters to be analyzed includes the following constituents:

Arsenic, Barium, Boron, Cadmium, Calcium, Chromium, Mercury, Sodium, Copper, Manganese, Magnesium, Potassium, Iron, Zinc, Aluminium, Lead, Sulphate, Chloride, Nitrate and Nitrite, Carbonate, Bicarbonate, Fluoride, Alkalinity, Un-Ionized Ammonia, pH, Hardness, Turbidity, Conductivity, Total Dissolved Solids

(TDS), Total Organic Carbon (TOC), Dissolved Organic Carbon (DOC), Total Kjeldhal Nitrogen (TKN), Phenols, Ortho Phosphate, Total Phosphate, Colour, Ion Ratio.

In addition, the following parameters should be analyzed in the field:

Temperature, pH, Conductivity, Dissolved Oxygen.

If woodwaste reclamation does not occur at the Site, the following parameters shall be added to the list above:

Total resin, abietic acid, dehydroabietic acid, 12, 14-dichloroTotal resin, abietic acid, dehydroabietic acid, 12, 14-dichloro acid, linoleic acid, oleic acid, neoabietic acid and palmitic acid

#### 2.4 Contingency Measures

If concentrations at downstream location exceed the PWQO for parameters with the existing background concentration below the PWQO, or exceed the existing background for parameters with the existing background concentration above the PWQO for two consecutive sampling events, and these exceedances are due to an impact from the landfill or reclamation operation, then within thirty (30) days the Owner shall submit for the Regional Director's approval the contingency measures to be undertaken.



## **SCHEDULE "C" - GROUNDWATER MONITORING PROGRAM**

This Schedule "C" forms part of this Approval.

### 1. Objectives

- to evaluate leachate quality;
- to monitor background groundwater quality in the overburden and the bedrock;
- to monitor the groundwater quality at the downgradient landfill boundary and compare this quality with the Ministry's objectives and Policies (Ontario Drinking Water Quality Standards, RUC); and
- to determine the need for implementation of a contingency measure.

### 2. Monitoring Plan

The groundwater monitoring plan shall be carried out by the Owner to address the stated objectives and will include the following:

#### 2.1 Monitors

The groundwater monitors to be sampled are listed below:

Existing monitors: BH-2, BH-3, BH-4B, BH-5, BH-6A, BH-6B, and Domestic well P-1 (Mario Robidas' residence well).

Depending on the results of the domestic water well survey, additional sentry well(s) and domestic well(s) could be included in the monitoring network. A bedrock monitoring well could also be included in the monitoring network.

#### 2.2 Sampling Frequency

In 2022, groundwater samples shall be taken three times, with at least 60 days between events. In 2023 and thereafter, groundwater samples shall be taken twice a year, after spring melt and before fall frost (with at least 60 days separation). Low flow sampling techniques shall be utilized where practical.

#### 2.3 Sampling Analysis

The collected samples shall be analyzed for parameters mentioned in 2.3 of Schedule "B" of this Approval.

In addition, the following parameters shall be analyzed in the field:

Temperature, pH, Conductivity.

#### 2.4 Measuring Water Levels

Water level measurements shall be conducted in all functional monitors twice per year, after spring melt and

before fall frost.

## 2.5 Well Inspection

During each monitoring event, the monitoring network will be visually inspected in accordance with condition 15 of this Approval. Changes in the physical condition of each well will be noted and necessary repairs undertaken. Monitoring wells that are shown to be damaged beyond repair or whose integrity is in doubt for further monitoring, will be abandoned in accordance with Reg. 903, and replaced, if necessary.

## 3. Trigger Mechanism

After three (3) sampling events, the Owner shall submit for the Regional Director's approval the groundwater trigger mechanism consisting of trigger location(s), trigger parameters, trigger concentrations, re-sampling procedures.

## 4. Contingency Measures

If trigger concentration(s) at trigger location(s), mentioned above are exceeded for two consecutive sampling events, and these exceedences are due to impacts from the landfill or reclamation operations, then one of the contingency measures or their combination shall be implemented by the Owner. They are as follows:

- cessation of the reclamation operations, removal of excavated wood waste material, and installation of a low permeable final cover over any uncapped areas of the landfill;
- installation of a leachate collection system;
- installation of a purge well system;
- leachate re-circulation;
- on-site leachate treatment; and
- bottle water supply for affected residences.

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

The reason for Conditions 1, 3, 4, 5, 6(3), and 7 is to clarify the legal rights and responsibilities of the Owner and the Operator.

The reason for Condition 2, 9 and 10 is to ensure that the Site is operated in accordance with the application and supporting documentation submitted by the Owner, and not in a manner which the Director has not been asked to consider.

The reasons for Condition 6(1) are to ensure that the Site is operated under the corporate name which appears on the application form submitted for this approval and to ensure that the Director is informed of any changes.

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 Approval.

The reason for Condition 8 is to ensure that appropriate Ministry staff have ready access to the Site for inspection of facilities, equipment, practices and operations required by the conditions in this Approval. This condition is supplementary to the powers of entry afforded a Provincial Officer pursuant to the EPA, OWRA and PA.

The reason for Condition 11(1) is to ensure that the Owner shall maintain side grading such that surface water from the landfilling area is directed to perimeter ditches and eventually to the wetland areas along the northern and eastern landfilling area boundaries.

The reason for Condition 11(2) is to ensure that the Owner conducts monthly inspections of perimeter ditches from April until December and, if required, undertake necessary remedial measures to keep ditches clean and undamaged.

The reason for Conditions 12 is to ensure that the Site is operated in a manner which does not result in a nuisance or a hazard to the health and safety of people and the environment.

The reasons for Condition 13 are to ensure that inspections of the landfill and reclamation and processing operations are carried out on a regular basis, and that detailed records of Site inspections are recorded and maintained for compliance and information purposes.

The reason for Condition 14 is to demonstrate that the Site is performing as designed and the impacts on the natural environment are acceptable. Regular monitoring allows for the analysis of trends over time and ensures that there is an early warning of potential problems so that any necessary remedial /contingency action can be taken.

Condition 15 is included to ensure the integrity of the groundwater monitoring network so that accurate monitoring results are achieved, and the natural environment is protected.

Condition 16 has been added to ensure the Owner has a plan with an organized set of procedures for identifying and responding to potential issues relating to groundwater and surface water contamination at the Site's compliance point.

Condition 17 has been included to streamline the approval of the changes to the monitoring plans and trigger mechanisms and contingency plans.

The reason for Condition 18 is to ensure that sufficient funds are available to the Ministry to clean up the site in the event that the Owner is unable or unwilling to do so.

The reason for Condition 19 is to ensure that any complaints regarding Site operations at the Site are responded to in a timely manner.

The reasons for Condition 20 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 Condition 21 is to ensure that the Site is closed in accordance with Ministry standards in a manner that protects the health and safety of the public and the environment.

**Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). A531404 issued on September 28, 2001 and all amending notices.**

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 14th day of April, 2022



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

DL/

c: Area Manager, MECP North Bay  
c: District Manager, MECP Sudbury  
Francois Pugh, Environmental Ecosystem Inc.