

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 8014-CBRQ72

Issue Date: July 1, 2022

Bartels Environmental Services Inc.
1343 Sandhill Drive, Unit 101
Ancaster ON L9G 4V5

Site Location: Part Lot 13
Dublin, Township of Hibbert
West Perth Municipality, County of Perth, Ontario

You have applied under section 20.2 of Part II.1 of the Environmental Protection Act, R.S.O. 1990, c. E. 19 (Environmental Protection Act) for approval of:

a waste disposal site, associated with the use and operation of three (3) earthen, clay-lined lagoon cells within the site area of 11.21 hectares;

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

liquid organic wastes, limited to the following:

- washwaters, including materials containing food-grade cleaners, from cleaning the processing equipment and the surrounding area of a brewery or distillery, similar in physical and chemical characteristics to a NASM Category 2, Item #3(e) as described in Schedule 4 of O. Regulation 267/03
- organic waste matter produced in a dissolved air flotation process used for the treatment of wastewater from food or feed processing or preparation facilities, similar in physical and chemical characteristics to a NASM Category 3, Item #5 as described in Schedule 4 of O. Regulation 267/03
- anaerobically digested sewage biosolids similar in physical and chemical characteristics to a NASM Category 3, Item #11 as described in Schedule 4 of O. Regulation 267/03
- aerobically digested sewage biosolids similar in physical and chemical characteristics to a NASM Category 3, Item #11 as described in Schedule 4 of O. Regulation 267/03

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:

"**Adverse Effect**" as defined in the EPA;

"**Approval**" means this Environmental Compliance Approval and any Schedules to it, including the application and supporting documentation listed in Schedule 1

"**Biosolids**" within the context of this Approval, means the organic materials resulting from treatment of sewage at a sewage works site including treatment in an anaerobic digester;

"**Cell 1**" means earthen lagoon cell for storage of Waste;

"**Cell 2**" means earthen lagoon cell for storage of Waste;

"**Cell 3**" means earthen lagoon cell for storage and treatment of Supernant;

"**Clean-Out Material**" means the Residual Waste removed from the Lagoons due to floating or settling of the material and that has been recovered as part of maintenance of the Lagoons;

"**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 or such other official of the Ministry as may be assigned the duties of the District Manager;

"**EASR**" means the Environmental Activity and Sector Registry;

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

"**Final Disposal**" within the context of this Approval means land disposal and thermal treatment, both as defined in Regulation 347, and does not include handling, storing, transferring, treating or processing of waste at a land disposal or a thermal treatment site;

"**Financial Assurance**" is as defined in Section 131 of the EPA;

"**Foreign Matter**" within the context of this Approval means materials that include but are not limited to glass, metallic objects, plastic and other foreign objects that are not typically considered naturally occurring;

"**Human Body Waste**" means waste derived from or containing wastes from the human body, limited to used diapers, used incontinence products and used sanitary products collected through the municipal source separated waste collection programs. Within the context of this Approval, Human Body Waste

also means human body waste within the meaning of O. Regulation 267/03;

"**IC&I**" means industrial, commercial and institutional;

"**Lagoons**" means the earthen, clay-lined lagoon cells: Cell 1, Cell 2 and Cell 3;

"**m**" means metre(s);

"**m²**" means square metre(s);

"**m³**" means cubic metre(s);

"**Malfunction**" means any sudden, unplanned, infrequent and not reasonably preventable failure of the equipment associated with the Site, excluding failures that may be caused in part by poor maintenance or negligent operation or failure of the equipment or the Site's infrastructure associated with any Waste management resulting in non-compliance with the requirements of this Approval;

"**Manual**" means a document or a set of documents that provide written instructions to staff of the Owner;

"**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;

"**NASM Plan Site**" means a site that has a NASM Plan approved by the Ontario Ministry of Agriculture, Food and Rural Affairs under the NMA;

"**NASM**" means non-agricultural source materials as defined in and within the meaning of O. Regulation 267/03;

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

"**OC2**" as defined in O. Regulation 267/03;

"**OC3**" as defined in O. Regulation 267/03;

"**O. Regulation 267/03**" means Ontario Regulation 267/03, General, made under the NMA, as amended;

"**Owner**" means Bartels Environmental Services Inc. that is responsible for the establishment and operation of the Site being approved by this Approval, any contractors that work on behalf of the Owner and includes any successors and assigns;

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

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

"**Processed Organic Waste**" is as defined as defined in Regulation 347;

"**Professional Engineer**" means a Professional Engineer as defined within the *Professional Engineers Act*, R.S.O. 1990, c. P.28, as amended;

"**Provincial Officer**" means any person designated in writing by the Minister as a provincial officer pursuant to Section 5 of the OWSA or Section 5 of the EPA or Section 17 of the PA or Section 4 of the NMA or Section 8 of the SDWA;

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

"**Rejected Waste**" means the incoming load inadvertently received at the Site and deemed by the Owner to be waste that does not meet the incoming Waste quality criteria set out in this Approval or that cannot be processed;

"**Residential Area**" means an area where there are 3 or more lots of not more than one hectare that are adjacent to each other or not separated by anything other than a road allowance or right of way and where each lot has a least one residential building;

"**Residual Waste**" means waste resulting from waste management activities at the Site and destined for further management at an off-Site location or Final Disposal. Residual Waste includes the Clean-Out Material;

"**Sampling and Analysis Protocol**" means the document entitled "Sampling and Analysis Protocol for Ontario Regulation 267/03 made under the *Nutrient Management Act, 2002*", prepared by the Ministry of Agriculture, Food and Rural Affairs and the Ministry of the Environment, Conservation and Parks and dated July 1, 2021;

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

"**Sensitive Receptor**" means any location where routine or normal activities occurring at reasonably expected times would experience adverse effect(s) from odour discharges from the Site, including one or a combination of:

- commercial areas where there are continuous public activities (e.g.; commercial plazas and office buildings);
- institutional facilities (e.g; schools, churches, community centres, day care centres, recreational centres, etc.),
- outdoor public recreational areas (e.g.; trailer parks, play grounds, picnic areas, etc.), and
- private residences or public facilities where people sleep (e.g.; single and multi-unit dwellings, nursing homes, hospitals, trailer parks, camping grounds, etc.),

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

"**Site**" means the waste disposal site located at 6903 Highway 8, Part Lot 13, Dublin, Township of Hibbert, West Perth Municipality, County of Perth and as shown in the supporting documentation listed in the attached Schedule 1;

"**Spill**" is as defined in the EPA;

"**Supernatant**" means the liquid portion of the Waste;

"**Trained Personnel**" means one or more Site personnel trained in accordance with the requirements of Condition 39, including an employee trained or knowledgeable through instruction and/or practice and able to carry out any necessary duties related to management of the Waste as approved in this Approval; and

"**Waste**" means any material defined as a waste or designated to be a waste under any Ontario regulation or any other that is discarded, unwanted or unsuitable for its original use or purpose (for example off-specification or expired) post-consumer goods, items or materials. Any outputs from processing/treatment of waste at a waste disposal site shall continue to be considered a waste. Within the context of this Approval, waste means liquid non-hazardous organic waste derived from plants or animals, readily biodegradable and suitable for land application as a nutrient, approved for receipt at the Site and as further described in Condition 13.1 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. CONSTRUCTION of the SITE

1. Except as otherwise provided by this Approval, the Site shall be designed, developed, built, operated and maintained in accordance with the application for this Approval dated February 2, 2021, signed by Ron Nienhuis, Bartels Group, and the supporting documentation listed in the

attached Schedule 1 and the Site shall be constructed and the approved equipment shall be installed and must commence operation, within five (5) years of issuance of this Approval, after which time the Approval ceases to apply in respect of any portions of the Site not in operation. In the event that the construction, installation and/or operation of any portion of the Site is anticipated to be delayed beyond the time period stipulated, the Owner shall submit to the Director an application to amend the Approval to extend this time period, at least six (6) months prior to the end of the period. The amendment application shall include the reason(s) for the delay and whether there is any design change(s).

2. A set of as-built drawings, certified by a Professional Engineer and showing the design of the Site, shall be kept at the Site at all times.

3. INTERPRETATION

1. Where there is a conflict between a provision of any document, including the application referred to in this Approval and the conditions of this Approval, the conditions in this Approval shall take precedence.
2. Where there is a conflict between the applications and a provision in any documents listed in Schedule 1, the applications shall take precedence, unless it is clear that the purpose of the document was to amend the applications and that the Ministry approved the amendment.
3. Where there is a conflict between any two documents listed in Schedule 1, other than the applications, the document bearing the most recent date shall take precedence.
4. The requirements of this Approval are severable. If any requirement of this Approval, or the application of any requirement of this Approval to any circumstance, is held invalid or unenforceable, the application of such requirement to other circumstances and the remainder of this Approval shall not be affected thereby.

4. OTHER LEGAL OBLIGATIONS

1. The issuance of, and compliance with the conditions of this Approval does not:
 - a. relieve any person of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement; or
 - b. limit in any way the authority of the Ministry to require certain steps be taken or to require the Owner to furnish any further information related to compliance with this Approval.
2. Despite an Owner 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 or impairment of water quality.

5. ADVERSE EFFECT

1. The Site shall be constructed, operated and maintained in a manner which ensures the health and safety of all persons and prevents generation of negative environmental impacts including but not limited to dust, odours, vectors, pests, birds, litter, vibration, noise and any other negative environmental effects that may cause an Adverse Effect.
2. If at any time dust, odours, vectors, pests, birds, litter, vibration, noise or other such negative environmental effects are generated at the Site and cause an Adverse Effect, the Owner shall take immediate and appropriate remedial action(s) that is/are necessary to alleviate-the Adverse Effect, including suspension of all waste management activities and removal of waste from the Site, if necessary.
3. The Owner shall take steps to minimize and ameliorate any Adverse Effect on the natural environment or impairment of water quality resulting from the approved operations at the Site, including such steps as accelerated or additional monitoring as may be necessary to determine the nature and extent of the effect or impairment.

6. CHANGE OF OWNER

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 change in:
 - a. the ownership of the Site;
 - b. the operator of the Site;
 - c. the address of the Owner;
 - d. the partners, where the Owner is or at any time becomes a partnership and a copy of the most recent declaration filed under the *Business Names Act*, R.S.O. 1990, c. B.17, as amended, shall be included in the notification; or
 - e. the name of the corporation where the Owner is or at any time becomes a corporation, other than a municipal corporation, and a copy of the most current information filed under the *Corporations Information Act*, R.S.O. 1990, c. C.39, as amended, 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. In the event of any change in ownership of the Site, other than change to a successor municipality, the Owner shall notify the successor of and provide the successor with a copy of this Approval, and the Owner shall provide a copy of the notification to the District Manager and the Director.
3. In the event of any change in ownership of the Site, the Owner shall notify the succeeding owner

in writing, of the existence of this Approval, and forward a copy of the notice to the District Manager.

4. The Owner shall ensure that all communications made pursuant to this condition refer to the environmental compliance approval number.

7. 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 processing is undertaken, 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;
 - e. to conduct interviews with staff, contractors, agents and assignees of the Owner; and
 - f. 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.

8. INFORMATION and RECORDS RETENTION

1. Any information requested by the Ministry, concerning the operation of the Site and its operation under this Approval, including but not limited to any records required to be kept by this Approval shall, upon request, be provided to the Ministry in a timely manner and in a format specified by the Ministry. All records shall be retained for five (5) years except as otherwise authorized in writing by the Director.
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 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.

3. The Owner shall ensure that a copy of this Approval, in its entirety and including all its Notices of Amendment, and the documentation listed in Schedule 1, are retained at the Owner's office at all times.

9. FINANCIAL ASSURANCE

1. Within sixty (60) days from the date of this Approval, the Owner shall submit to the Director, the Financial Assurance, as defined in Section 131 of the EPA in the amount of CAN\$2,025,221. This Financial Assurance shall be in a form acceptable to the Director and shall provide sufficient funds for the transportation, Site clean-up and disposal of all quantities of waste on the Site at any one time. No Waste shall be received at the Site unless the acceptable Financial Assurance has been submitted to the Ministry and approved by the Director.
2. Commencing on May 31, 2026 and at intervals of five (5) years thereafter, the Owner shall submit to the Director, a re-evaluation of the amount of Financial Assurance to implement the actions required under Condition 9.1. The re-evaluation shall include an assessment based on any new information relating to the environmental conditions of the Site and shall include the costs of additional monitoring and/or implementation of contingency plans required by the Director upon review of the closure plan and annual reports. The Financial Assurance must be submitted to the Director within thirty (30) calendar days of written acceptance of the re-evaluation by the Director.
3. Commencing on May 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 9.1. for each of the intervening years in which a re-evaluation is not required to be submitted to the Director under Condition 9.2. The re-evaluation shall be made available to the Ministry staff, upon request.
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.

10. OTHER APPROVALS

1. The Owner shall ensure that the Site is not operated unless all approvals for the activities set out in Section 9 of the EPA, where applicable, have been obtained.
2. The Owner shall ensure that no discharges from the Site to the natural environment, other than air, are occurring unless all approvals the activities set out in Section 53 of the OWRA, where applicable, have been obtained.

11. CERTIFICATE of REQUIREMENT

1. Prior to dealing with the property in any way, the Owner shall provide a copy of this Approval and any amendments, to any person who will acquire an interest in the property as a result of the dealing.
2. Within thirty (30) calendar days from the date of issuance of this Approval, the Owner shall submit to the Director a completed Certificate of Requirement which shall include:
 - a. a plan of survey prepared, signed and sealed by an Ontario Land Surveyor, which shows the area of the Site where waste has been or is to be deposited at the Site;
 - b. proof of ownership of the Site;
 - c. a letter signed by a member of the Law Society of Upper Canada or other qualified legal practitioner acceptable to the Director, verifying the legal description provided in the Certificate of Requirement;
 - d. the legal abstract of the property; and
 - e. any supporting documents including a registerable description of the Site.
3. Within fifteen (15) calendar days of receiving a Certificate of Requirement authorized by the Director, the Owner shall:
 - a. register the Certificate of Requirement in the appropriate Land Registry Office on the title to the property; and
 - b. submit to the Director written verification that the Certificate of Requirement has been registered on title.

12. SIGNS and SECURITY

1. The Owner shall maintain sign(s) at the entrance to the Site. The sign(s) shall be visible and readable from the main road leading to the Site. The following information shall be included on the sign(s):
 - a. name of the Owner;
 - b. this Approval number;
 - c. hours during which the Site is open;
 - d. waste types that are approved to be accepted at the Site;
 - e. Owner's telephone number to which complaints may be directed;
 - f. Ministry's telephone number to which complaints may be directed;
 - g. Owner's twenty-four hour emergency telephone number (if different from above);
 - h. a warning against unauthorized access; and
 - i. a warning against dumping at the Site.
2. The Owner shall ensure that appropriate and visible signs are installed and maintained at the Site:
 - a. to direct vehicles to the Waste receiving area and the Waste or the Waste Mixture, the Rejected Waste and the Residual Waste removal areas; and

- b. to clearly state any warnings about the nature and any possible hazards of the Waste.
- 3. The Owner shall ensure that the Site is fenced in and that all entrances are secured by lockable gates to restrict access only to authorized personnel when the Site is not open.
- 4. The Owner shall ensure that the Site is operated in a safe and secure manner, and that the Waste or the Waste Mixture, the Rejected Waste and the Residual Waste are properly handled, packaged or contained and stored so as not to pose any threat to the Site personnel.

13. SERVICE AREA and APPROVED WASTE TYPES

- 1. This Site is approved to accept the Waste generated within the Province of Ontario.
- 2. This Site is approved to accept liquid Waste from IC&I sources and from sewage works, as defined in the OWRA, and where the sewage works is subject to the requirements under the OWRA and,
 - a. is owned by a municipality or is privately owned;
 - b. is owned by the Crown or the Ontario Clean Water Agency, subject to an agreement with a municipality under the OWRA; or
 - c. receives only waste similar in character to the sewage containing human pathogens, including toilet or other bathroom waste.
- 3. Notwithstanding provisions of Condition **13.2.**, the Site is limited to receive the following specific types of Waste:
 - a. liquid Waste limited to the following waste types:
 - i. washwaters, including materials containing food-grade cleaners, from cleaning the processing equipment and the surrounding area of a brewery or distillery, similar in physical and chemical characteristics to a NASM Category 2, Item #3(e) (as described in Schedule 4 of O. Regulation 267/03) and having odour characterization of OC2 as defined in O. Regulation 267/03;
 - ii. organic waste matter produced in a dissolved air flotation process used for the treatment of wastewater from food or feed processing or preparation facilities, similar in physical and chemical characteristics to a NASM Category 3, Item #5 (as described in Schedule 4 of O. Regulation 267/03) and having odour characterization of OC3 as defined in O. Regulation 267/03;
 - iii. anaerobically digested Biosolids similar in physical and chemical characteristics to a NASM Category 3, Item #11 (as described in Schedule 4 of O. Regulation 267/03) and having odour characterization of OC1 as defined in O. Regulation 267/03; and
 - iv. aerobically digested Biosolids similar in physical and chemical characteristics to a NASM

Category 3, Item #11 (as described in Schedule 4 of O. Regulation 267/03) and having odour characterization of OC2 as defined in O. Regulation 267/03.

4. The Owner shall ensure that the liquid Waste received at the Site is a material that meets the quality criteria set out in Condition **28**, so that it can be land applied as a NASM under the NMA.

14. WASTE RATES

1. The Owner is approved to receive the Waste in quantities that are not to exceed:
 - a. maximum daily amount of Waste received at the Site shall not exceed 812 m³ per day.
2. The Owner shall not receive any Waste having odour characterization of OC3 as defined in O. Regulation 267/03, until the Site has been in operation for twelve (12) months without any odour complaints caused by the operation of the Site.

15. OPERATING HOURS

1. The Site shall be operated Monday through Saturday 7 a.m. to 9 p.m., except holidays, unless otherwise limited by municipal by-laws.

16. APPROVED WASTE MANAGEMENT ACTIVITIES

1. The following Waste management/processing activities are approved under this Approval:
 - a. receipt and temporary storage of the approved Waste in Cells 1 and 2;
 - b. Waste blending in Cells 1 and 2;
 - c. Waste mixing (stirring) in Cells 1 and 2;
 - d. transfer of the Waste to an approved NASM Plan Site for land application or to a site approved by the Ministry for land application in non-agricultural setting, Final Disposal or further processing/treatment;
 - e. transfer of Supernatant between Cells 1, 2 and 3;
 - f. mixing and treatment of Supernatant through aeration with 4-19 kW (kilowatts) (25 hp (horsepower)) Aqua-Aerobic Systems Aqua-Jet high-speed floating surface aerators in Cell 3; and
 - g. transfer of Supernatant from Cell 3 to a Ministry-approved site to receive the Supernatant for Final Disposal or further processing/treatment.

17. INCOMING WASTE RECEIPT

1. The Owner shall establish and implement a tracking system for all Waste received and stored at the Site.
2. The Owner shall establish and implement a Waste screening system to require all Waste arriving at the Site to be accompanied by the required characterization documentation.
3. The Trained Personnel shall inspect the Waste characterization documentation to ensure that only waste that is approved under this Approval is received at the Site.
4. The incoming Waste load shall not be accepted at the Site and shall be immediately be directed off-Site, if,
 - a. the required characterization results documentation cannot be provided by the Waste truck driver;
 - b. the sampling and/or analytical requirements set out in Condition **30**. have not been fulfilled; or
 - c. the analysis of the Waste shows that the required quality criteria requirements described in Conditions **13.3**. and **13.4**. are not complied with.
5. The Owner shall visually inspect all incoming Waste loads as they are pumped out into Lagoon 1.
6. The Owner shall only accept the incoming Waste that is delivered in vehicles that have been approved by the Ministry or registered on the EASR, as required.

18. WASTE STORAGE and BLENDING

1. Between May to November, storage of the Waste at the Site shall not exceed $116,708 \text{ m}^3$, at any one time.
2. Between December to April, storage of the Waste at the Site shall not exceed $108,865 \text{ m}^3$, at any one time.
3. The Owner shall operate the Lagoons with 0.6 m freeboard, at all times.
4. When operating with 0.6 m freeboard, the total approved storage of the Waste and the atmospheric precipitation in the Lagoons shall not exceed $130,050 \text{ m}^3$, at any one time.
5. On an emergency basis, the Owner may temporarily operate the Lagoons with 0.3 m freeboard.
6. When operating with 0.3 m freeboard, the total approved storage of the Waste and the

atmospheric precipitation in the Lagoons shall not exceed 145,793 m³, at any one time.

7. Unless otherwise instructed by the District Manager, the Owner shall notify the District Manager when using the emergency storage provision from Conditions **18.5.** and **18.6.** The notification shall include the start and the end of the emergency storage with the freeboard less than 0.6 m.
8. Storage in Cell 1 shall be as follows:
 - a. Cell 1 shall be designed to have a total effective operating storage capacity of approximately 72,000 m³ at any one time; and
 - b. Cell 1 shall be used with an operating depth of up-to 3.1 m.
9. Storage in Cell 2 shall be as follows:
 - a. Cell 2 shall be designed to have a total effective operating storage capacity of approximately 20,850 m³, at any one time; and
 - b. Cell 2 shall be used with an operating depth of up-to 1.9 m.
10. Storage in Cell 3 shall be as follows:
 - a. Cell 3 shall be designed to have a total effective operating storage and treatment capacity of approximately 37,200 m³; and
 - b. Cell 3 shall be used with an operating depth of up-to 3.1 m.
11. The Lagoons shall be designed and operated as proposed in the supporting documentation listed in Schedule 1.
12. The Lagoons shall be surrounded by a berm with internal and external sides slopes of 3:1 and 2:1, respectively and constructed in accordance with the supporting documentation in the attached Schedule 1.
13. The Owner shall ensure that the Lagoons, including their spill containment, are designed in accordance with the supporting documents listed in Schedule 1.
14. The freeboard space and the spill containment storage capacity shall be sufficient to accommodate the maximum rainfall expected during a 1 in 250 years storm event as described in the supporting documentation in the attached Schedule 1.
15. The Owner shall ensure that sufficient storage capacity is available in the Lagoons prior to unloading of the Waste from the transport vehicles into the Lagoons.

16. The Owner shall equip each of the Lagoons with a liquid level monitoring device.
17. In the event that the Waste cannot be transferred from the Site and the Site is at its approved Waste storage capacity, the Owner shall cease accepting additional Waste. Receipt of additional Waste may be resumed once such receipt complies with the waste storage limitations approved in this Approval.
18. Prior to first receipt of the Waste at the Site, the Owner shall inspect the Lagoons and the berms and evaluate their structural integrity.
19. Commencing in the year 2024 and every second year thereafter, or as required by the District Manager, visible portions of the Lagoon berms are to be visually inspected to evaluate the structural integrity of the Lagoons and the berms.
20. Notwithstanding provisions of Condition **18.15**, upon the written request from the District Manager, the Lagoons shall be drawn-down, and visually inspected again to evaluate the structural integrity of the Lagoons and the berms.
21. Waste blending in Cells 1 and 2 shall be in accordance with the NASM rules set out in O. Regulation 267/03.

19. LOADING/UNLOADING

1. The Owner shall ensure that all Waste delivered to the Site is off loaded into Cell 1 through a submerged inlet pipe that prevents surface disturbances in the Lagoon in order to minimize odours during Waste deliveries to the Site.
2. Waste shall be unloaded from the tanker trucks into Cell 1 via a cam-lock connection and flexible piping as proposed in the supporting documentation in Schedule 1.
3. Loading/unloading of Waste shall be carried out on a concrete pad that shall be sloped adequately to provide drainage and is equipped with a catch basin, as proposed in the supporting documentation in Schedule 1.
4. The Owner shall ensure that a drip tray is placed under the cam-lock connection when the Waste or Supernant is being unloaded/loaded to or from the Lagoons.
5. When loading/unloading is done on a gravel loading/unloading area that does not slope to a catch basin, a portable berm/bib shall be used as described in the supporting documentation in Schedule 1.
6. For each day the Site is open, the Owner shall measure and record the depth of the Waste or Supernant in the Lagoons on a daily basis.

20. MIXING (STIRRING)

1. As proposed in the supporting documentation listed in the attached Schedule 1, mixing shall be completed within a 12 hour period from its start to reduce the time period that odours may be generated.
2. The Owner shall carrying out mixing of the Waste only during the operating hours set out in Condition **15.**, unless otherwise limited by municipal by-laws or subject to any restrictions required by the District Manager.
3. The Owner shall limit Mixing of the Waste if wind speeds exceed 30 kilometers per hour or wind direction is towards any Sensitive Use.
4. Notwithstanding provisions of Condition **20.3.** no Mixing of the Waste shall be carried out if wind speeds exceed 30 kilometers per hour or wind direction is towards any Residential Area.
5. Mixing systems that do not produce airborne odourous aerosol droplets shall be used for Mixing of the Waste in Cells 1 and 2.
6. Mixing equipment used for the Lagoons will have sufficient capacity to provide mixing within a 12-hour period to reduce the time period that odours may be generated.
7. Prior to any mixing event, the Owner shall notify the neighbouring properties that may be affected by odour during the mixing of the Lagoons.
8. The neighbouring properties will be notified of the date(s) and duration that mixing will occur.

21. WASTE or WASTE MIXTURE TRANSFER from the SITE

1. The Owner shall establish and implement a tracking system for all Waste or the Waste Mixture shipped from the Site.
2. The Owner shall establish and implement a tracking system for all Supernatant stored, treated and shipped from the Site.

22. REJECTED WASTE MANAGEMENT

1. In the event that the Owner becomes aware that a Rejected Waste has been inadvertently accepted at the Site and inputted into Cell 1, the Owner shall immediately implement the procedures set out in the Contingency Plan.

23. RESIDUAL WASTE MANAGEMENT

1. Any Residual Waste generated at the Site shall be handled as follows:

- a. Residual Waste shall be handled and removed from the Site in accordance with Regulation 347 and the EPA; and
- b. Residual Waste shall be shipped to a site approved by the Ministry approved to accept such waste for further processing/treatment or Final Disposal or to a site approved to accept such waste by an equivalent jurisdiction.

24. STORMWATER MANAGEMENT and DISCHARGE to SURFACE WATER

1. This Approval does not approve any discharges of clean stormwater precipitation from the Site to the natural environment.

25. WASTEWATER (SUPERNATANT) DISCHARGE to SURFACE WATER

1. This Approval does not approve any discharges of the Supernatant from the Site to the natural environment.
2. All Supernatant from the Site must be removed to a site approved by the Ministry.

26. EQUIPMENT and SITE INSPECTIONS

1. Within thirty (30) days from the issuance of this Approval or as acceptable to the District Manager, the Owner shall prepare a comprehensive written inspection program which includes procedures for inspections of all aspects of the Site operations, including the following:
 - a. condition of the Waste loading/unloading areas, the Lagoons and the berms;
 - b. condition of all major pieces of the equipment;
 - c. condition of all instruments for monitoring required under this Approval;
 - d. security fence and property line;
 - e. condition of the on-site roads for evidence of excessive erosion and fugitive dust emissions;
 - f. presence of fugitive odour emissions from the operation of the Site;
 - g. presence of the on and off-Site litter; and
2. The inspection program shall be up-dated, as required, shall be retained at the Site and be made available for inspection by a Provincial Officer, upon request.
3. For each day the Site is open, at the beginning and the end of each day, the Owner shall ensure that the Trained Personnel carries out the required Site inspections in accordance with the inspection program to ensure that all equipment and facilities at the Site are maintained in good working order at all times and that no off-Site impacts are occurring. Any deficiencies detected

during these regular inspections must be promptly corrected.

27. EQUIPMENT and SITE MAINTENANCE

1. The Owner shall ensure that the Site and related waste management equipment and appurtenances which are installed or used to achieve compliance with this Approval are properly operated and maintained.
2. The Owner shall prepare a list of critical spare parts and update this list annually or more frequently, if necessary, to ensure that this list is maintained up-to-date. The list shall be retained at the Site and be made available for inspection by a Provincial Officer, upon request.
3. The Owner shall ensure that the critical spare parts are available at the Site at all times or be immediately available from an off-Site supplier.
4. The Owner shall develop and implement a preventative maintenance program for all on-Site equipment associated with the processing and managing of Wastes and control of fugitive odour and dust emissions.
5. The preventative maintenance program referred to in Condition 27.4. shall be maintained up-to-date, be retained at the Site and be available for inspection by a Provincial Officer, upon request.

28. WASTE or WASTE MIXTURE QUALITY CRITERIA

1. The Waste to be received at the Site and destined for land application on agricultural land and the Waste Mixture shall meet the applicable NASM requirements from O. Regulation 267/03, including but not limited to the following:
 - a. the definition of a NASM;
 - b. the regulated metal concentration requirements established in Section 8.2 of O. Regulation 267/03;
 - c. the pathogen level requirements established in Section 8.2 of O. Regulation 267/03;
 - d. the odour threshold requirements established in Section 8.2 of O. Regulation 267/03;
 - e. the plastic and foreign matter content requirements established in Section 52.11 of O. Regulation 267/03; and
 - f. at least one of the beneficial use criteria set out in Section 98.0.6 of O. Regulation 267/03.
2. The Owner shall ensure that the approved Waste is not contaminated with a human body waste that has not been treated for pathogens as required under O. Regulation 267/03, or a domestic

waste including non-biodegradable wastes such as plastic wrap or metallic packaging materials.

3. The Waste Mixture destined for land application on agricultural land shall meet the NASM mixing rules with respect to classification of the outgoing Waste Mixture.

29. CLEAN-OUT MATERIAL QUALITY CRITERIA

1. If the Clean-Out Material is managed as a material destined for land application on agricultural land,
 - a. the Clean-Out Material shall contain a minimum of 15% of total organic matter/weight of the solids; and
 - b. unless O. Regulation 267/03 requires otherwise for a NASM, the Clean-Out Material shall comply with the following requirements:
 - i. regulated metals shall not exceed the maximum concentrations set out in column 2 or 3, as applicable, of Table 2 of Schedule 5 of O. Regulation 267/03;
 - ii. E. coli shall not exceed the maximum E. coli levels set out in column 2 of Table 3 of Schedule 6 O. Regulation 267/03 if it is material containing less than 1 per cent total solids, wet weight or column 3 of Table 3 of Schedule 6 O. Regulation 267/03, if it is material containing 1 per cent or more total solids, wet weight;
 - iii. Foreign Matter shall not exceed 2% calculated on a dry basis,
 - iv. plastics shall not exceed 0.5% calculated on a dry basis, and
 - v. there shall not be any particle with size greater than 2.5 cm².
2. If the Clean-Out Material is managed as a waste destined for land application on non-agricultural land;
 - a. the Clean-Out Material shall meet the quality criteria required by the conditions of the Environmental Compliance Approval for the site where it is to be land-applied; or
 - b. in the absence of specific quality criteria requirements in the Environmental Compliance Approval for the site where the Clean-Out Material is to be land-applied, it shall meet the requirements set out in Condition **29.1.** of this Approval.
3. Any Residual Waste, including the Clean-Out Material to be transferred for further processing or Final Disposal shall meet the quality criteria required by the conditions of the Environmental Compliance Approval for the site where it is to be transferred to.

30. TESTING of the INCOMING WASTE

1. Prior to the first time receipt of the Waste at the Site from any new source, the Owner shall ensure that the incoming Waste is characterized as required in this Approval.
2. The characterization shall be carried out in accordance with the NASM testing requirements applicable to generators of NASM intended to be applied on land in the course of an agricultural operation, where the generator is within the meaning of O. Regulation 267 and as follows:
 - i. washwaters, including materials containing food-grade cleaners, from cleaning the processing equipment and the surrounding area of a brewery or distillery shall be tested as required for a NASM Category 2, Item #3(e) (as described in Schedule 4 of O. Regulation 267/03);
 - ii. organic waste matter produced in a dissolved air flotation process used for the treatment of wastewater from food or feed processing or preparation facilities shall be tested as required for a NASM Category 3, Item #5 (as described in Schedule 4 of O. Regulation 267/03);
 - iii. anaerobically digested sewage Biosolids shall be tested as required for a NASM Category 3, Item #11 (as described in Schedule 4 of O. Regulation 267/03); and
 - iv. aerobically digested sewage Biosolids shall be tested as required for a NASM Category 3, Item #11 (as described in Schedule 4 of O. Regulation 267/03).
3. The Owner shall ensure that the characterization required by Condition **30.1** is in accordance with the rules that would apply if this material were being land applied to an agricultural land operation as a NASM under the NMA.
4. Sampling and analysis of a given Waste shall be repeated as set out in Condition **30.1** through **30.3** following any process changes, operational issues or other factors that may affect the quality of the said Waste from the initial characterization.

31. TESTING of the OUTGOING WASTE or the WASTE MIXTURE

1. The Waste or the Waste Mixture must be adequately mixed to create a reasonably homogenous mixture that can be reasonably characterized prior to land application.
2. The Owner shall ensure that agitation is carried out for a period of time long enough to result in homogeneous mixture of material for sampling.
3. Prior to transferring out the Waste or the Waste Mixture from the Site to be land-applied as a NASM, the Owner shall undertake the Waste or the Waste Mixture characterization as required by the regulations, policies and guidelines under the NMA, including but not limited to the

following:

- a. O. Regulation 267/03;
 - b. Sampling and Analysis Protocol; and
 - c. NASM Odour Guide.
4. No additional Waste shall be added to the Lagoons after the last sampling prior to land application as a NASM.
 5. If the Waste or the Waste Mixture is managed as a waste destined for land application on non-agricultural land, the Owner shall undertake quality control sampling and testing as required by the conditions of the Environmental Compliance Approval for the site where the Waste or the Waste Mixture is to be land-applied on non-agricultural land or as proposed in the supporting documentation, whichever sampling frequency generates more samples.

32. END-USE of WASTE or WASTE MIXTURE

1. If the Waste or the Waste Mixture is to be land-applied to agricultural land, it shall be managed in accordance with the requirements under the NMA.
2. The Owner shall ensure that the Waste or the Waste Mixture that is to be land-applied to agricultural land, is transferred only to a NASM Plan Site.
3. If the Waste or the Waste Mixture stored at the Site and destined for land application on agricultural land does not meet the applicable NASM requirements from O. Regulation 267/03, the Owner shall transfer the contents of the Lagoons to an approved by the Ministry waste disposal site for land application on non-agricultural land, further processing/treatment or Final Disposal.
4. If the Waste or the Waste Mixture cannot be land-applied to agricultural land, it shall be managed as follows:
 - a. the Waste or the Waste Mixture shall be managed in accordance with the requirements of the EPA and the OWRA and any other relevant Ministry legislation; and
 - b. the Waste or the Waste Mixture shall be transferred to a site approved by the Ministry approved to accept such waste for land application on non-agricultural land, further processing/treatment or Final Disposal or to a site approved to accept such waste by an equivalent jurisdiction.
5. The Waste or the Waste Mixture shall only be removed from the Site by a hauler approved by the Ministry to transport such waste, or registered on the EASR, as required.
6. Transfer of any Waste or Waste Mixture containing human body waste for agricultural land application shall only be with a written notification to the receiving site's owner that the material

contains human body waste so that the receiving site owner can determine the applicable regulatory requirements under the NMA.

33. GROUNDWATER MONITORING

1. Within thirty (30) days from the date of this Approval, the Owner submit to the District Manager a proposal to conduct monitoring for the groundwater impacts from the operation of the Site.

34. TRUCK and TRAFFIC IMPACT CONTROL

1. The Owner shall visually inspect the vehicles that have delivered the Waste to the Site for evidence of leaking or dripping waste. The Owner of the vehicles that leak shall be given a written notice of the presence of the leak. The notice shall include the vehicle owner's name, the vehicle Environmental Compliance Approval number, the type of Waste delivered to the Site and the date of the delivery. A copy of the notice shall be retained at the Site and it shall be provided to the Ministry staff upon request.
2. The Owner shall ensure that the exterior of all vehicles delivering the Waste to the Site is cleaned prior to their departure from the Site, as appropriate.
3. The Owner shall ensure that there is no queuing or parking of vehicles that are waiting to enter the Site on any roadway that is not a distinct part of the Site.
4. The Owner shall ensure that the vehicles transporting waste to and from the Site use the designated on-Site traffic routes.
5. The Owner shall ensure that all new drivers of vehicles transporting waste to and from the Site are instructed/trained on the acceptable on-Site traffic routes.
6. The Owner shall ensure that all vehicles hauling Waste are adequately covered to prevent fugitive odour emissions during transport.
7. All waste must be transported to and from the Site in accordance with the EPA and Regulation 347 and in vehicles that have been approved by the Ministry or registered on the EASR, as required.
8. The Owner shall determine the Site access truck traffic routes and shall ensure that all drivers of vehicles making deliveries and removing waste from to the Site are made aware of the traffic routes restrictions and requirements.

35. DUST IMPACT CONTROL

1. The Owner shall take all necessary measures to minimize fugitive dust emissions from all potential sources at the Site, as proposed in the supporting documentation listed in the attached

Schedule 1.

2. Notwithstanding provisions of Condition **35.1.**, when the District Manager receives verified dust complaints caused by the waste management activities at the Site and notifies the Owner in writing, as a minimum, the Owner shall wet the roads with clean water to control the fugitive dust emissions from the Site.
3. If at any time, the Ministry staff verifies mud track out on the municipal roads leading to the Site and fugitive dust emissions, from Waste trucks arriving at and departing from the Site, the Owner shall take immediate steps to eliminate the mud track and the fugitive dust emissions.

36. LITTER IMPACT CONTROL

1. The Owner shall prevent the escape of litter from the Site and pick up litter around the Site on a daily basis, or more frequently if necessary.

37. VECTORS, VERMIN and WILDLIFE IMPACT CONTROL

1. The Owner shall:
 - a. implement necessary housekeeping procedures to eliminate sources of attraction for vermin, vectors and wildlife; and
 - b. if necessary, hire a qualified, licensed pest control professional to design and implement a pest control plan for the Site.

38. NOISE IMPACT CONTROL

1. The Owner shall take all necessary measures to minimize noise emissions from all potential sources at the Site, as proposed in the supporting documentation listed in the attached Schedule 1.

39. ODOUR IMPACT CONTROL

1. Cells 1 and 2 shall be operated with a water cap to control odour emissions, as proposed in the supporting documentation listed in the attached Schedule 1.
2. Cell 3 shall be operated with 4-19 kW (25 hp) Aqua-Aerobic Systems Aqua-Jet high-speed floating surface aerators to control odour emissions.
3. The Owner shall monitor the dissolved oxygen concentration in Cell 3 to determine the operating concentration level required for an odour-free operation of Cell 3.
4. Notwithstanding provisions of Conditions **39.1** through **39.3.**, the Owner shall take all necessary measures to minimize odourous emissions from all potential sources at the Site.

5. The Owner shall ensure that all Waste delivered to and shipped from the Site is in covered/enclosed vehicles.

40. BEST MANAGEMENT PRACTICES PLAN

1. The Owner shall prepare and submit to the District Manager for concurrence, a Best Management Practices Plan (BMPP) for fugitive odour emissions management.
2. The BMPP shall be prepared in accordance with the Ministry's technical bulletin entitled "Best management practices for industrial sources of odour", posted on the Ministry's website and as updated.
3. The Owner shall implement the BMPP upon receipt of the District Manager's concurrence.
4. Unless the Owner receives written concurrence from the District Manager that the BMPP is acceptable, the Owner shall not start accepting any Waste at the Site.
5. The Owner shall update the BMPP, as follows:
 - a. the BMPP shall be reviewed and evaluated on a yearly basis;
 - b. the Owner shall record the results of each yearly review and update the BMPP within two (2) months of the completion of the yearly review;
 - c. the Owner shall submit a copy to the District Manager within one (1) month of the update, for the District Manager's concurrence;
 - d. the Owner shall maintain the updated BMPP at the Site and provide a copy to the Ministry staff upon request; and
 - e. implement, at all times, the most recent version of the BMPP.

41. COMPLAINT MANAGEMENT

1. A designated representative of the Owner shall be available to receive public complaints caused by the operations at the Site twenty-four (24) hours per day, seven (7) days per week.
2. If at any time, the Owner receives any environmental complaints from the public regarding the operation of the Site, the Owner shall respond to these complaints according to the following procedures:
 - a. Step 1: Receipt of Complaint - The Owner shall record each complaint in a computerized tracking system. The information recorded shall include the following:

- i. the name, address and the telephone number (or contact information) of the complainant, if known;
 - ii. the date and time of the complaint; and
 - iii. details of the complaint, including the description and duration of the incident.
- b. Step 2: Investigation of Complaint - After the complaint has been received by the Owner and recorded in the tracking system, the Owner shall, immediately notify, either the District Manager by phone during office hours or the Ministry's Spills Action Centre at 1-800-268-6060 after office hours. The Owner shall immediately initiate investigation of the complaint. The investigation shall include, as a minimum, the following:
- i. determination of the activities undertaken in the Site at the time of the complaint;
 - ii. general meteorological conditions including, but not limited to the ambient temperature, approximate wind speed and its direction, sunny versus cloudy, inversion versus clear and windy, etc. at the time of the complaint;
 - iii. location of the person who submitted the complaint, if known, at the time of the incident; and
 - iv. determination if the complaint is attributed to activities being undertaken at the Site and if so, determination of all the possible cause(s) of the complaint;
- c. Step 3: Corrective Action - The Owner shall determine the remedial action(s) to address the cause(s) of the complaint and implement the remedial action(s) to eliminate the cause(s) of the complaint, as soon as practicably possible, and to prevent a similar occurrence in the future;
- d. Step 4: Written Response - The Owner shall forward a formal reply to the complainant, if known and to the District Manager within one (1) week after the receipt of the complaint. The response shall include the results of the investigation of the complaint, the action(s) taken or planned to be taken to address the cause(s) of the complaint, and if follow-up response would be provided.
- e. Step 5: Recording - All of the information collected and actions taken must be recorded in the tracking system.
3. If the District Manager deems the remedial measures taken as per Condition 41.2.c. to be unsuitable, insufficient or ineffective, the District Manager may direct the Owner, in writing, pursuant to the remedial order section (s.17) or the preventative measures order section (s.18) of the EPA to take further measures to address the noted failure, upset or Malfunction, including but not limited to the following:

- a. reduction in the receipt of Waste;
- b. cessation of the receipt of the Waste;
- c. removal and off-site disposal of Waste; and
- d. repairs or modifications to the equipment or processes at the Site;
- e. further investigation of possible sources of fugitive air emissions from the Site as set out in Condition **42**.

42. ODOUR MANAGEMENT PLAN

1. When the District Manager receives verified odour complaints caused by the waste management activities at the Site and notifies the Owner in writing, the Owner shall,
 - a. stop receiving Waste or a particular Waste at the Site; and
 - b. implement additional odour management measures identified in the Contingency Plan.
2. Notwithstanding the requirements in Conditions **39**, **40**, and **42.1.**, upon the District Manager's written notification, the Owner shall prepare and submit to the District Manager (hardcopy and electronic format) an Odour Management Plan that contains all or one the following plans or assessments:
 - a. an Odour Assessment (OA) that includes,
 - i. determination of all aspects of operation of the Site that have a potential to release odour; and
 - ii. the physical and procedural controls such as policies, standard operating/maintenance procedures, monitoring program, management strategies/program required in order to prevent or mitigate any impacts on the Sensitive Receptors and to ensure that all odour mitigation techniques remain operational at optimal capacity throughout all operational scenarios;
 - b. an Odour Impact Assessment (OIA), that is an assessment of the anticipated effects of odours generated from the Site and in accordance with the following requirements:
 - i. an Odour Impact Assessment (OIA) should be carried out using an acceptable air dispersion model (for example, AERMOD) to assess impacts from all odour sources under various weather scenarios using the most representative meteorological data;
 - ii. the assessment should identify those conditions that are most likely to result in an adverse odour impact;
 - iii. predicted odour levels should be assessed at the property boundary, the nearest receptors and at the most impacted sensitive receptor; and

- iv. estimate of the emission of odours from the Site shall be made;
 - v. assessment must conclude whether the proposed Site siting and design can adequately control odours or if future odour controls requiring approval under section 9 of the EPA are required to avoid Adverse Effects.
- c. Odour Management and Control Plan (OMCP) for the Site that includes the following,
- i. procedures and best management practices to be followed at the Site to alleviate odour impacts during normal operations;
 - ii. procedures for operation of the Site under less than optimal conditions;
 - iii. the plan should also discuss specific weather conditions under which odour generating activities, such as mixing, should not be undertaken;
 - iv. The OMCP should also identify the anticipated problems that might occur and should include detailed contingency procedures for actions to take when an odour problem occurs.
3. The District Manager may not accept the Odour Management Plan if the requirements of Condition **42.2.** were not followed.
 4. If the District Manager does not accept the Odour Management Plan, then the Owner shall revise the Plan within a time line acceptable to the District Manager.
 5. The Owner shall implement the procedures/recommendations of the Odour Management Plan.
 6. The Owner shall review the Odour Management Plan annually, and update it, as necessary.
 7. The Owner shall submit a copy of the updated Odour Management Plan to the District Manager upon completion of the update.

43. CONTINGENCY and EMERGENCY RESPONSE PLAN

1. Prior to the receipt of any Waste at the Site, the Owner shall prepare and submit to the District Manager, a Contingency and Emergency Response Plan. The Plan shall be prepared in consultation with the District Manager and the local municipality and, as a minimum, shall include the following:
 - a. a Site plan clearly showing all Waste management areas, equipment layout and all storage areas for wastes, on-site catch basins and nearby watercourses;
 - b. a list of Site personnel responsible for the implementation of the contingency measures and

various emergency response tasks and their training requirements;

- c. a list of equipment and materials required for the implementation of the contingency measures and the emergency situation response;
- d. maintenance and testing program for equipment required for the implementation of the contingency measures and the emergency situation response;
- e. procedures to be undertaken as part of the implementation of the contingency measures and the emergency situation response;
- f. notification protocol, with names and telephone numbers of persons to be contacted, including the Owner, the Site personnel, the Ministry's District Office and Spills Action Centre, the local Fire and Police Departments, the local Medical Officer of Health, the Ministry of Labour, and waste management companies available for emergency response;
- g. procedures and actions to be taken should the incoming Waste not meet the applicable quality criteria specified in this Approval arrive at the Site;
- h. procedures and actions to be taken should the Waste that not meet the applicable quality criteria specified in this Approval be inadvertently be accepted at the Site and inputted into Cell 1;
- i. procedures and actions to be taken should the Waste fail to meet the criteria required by the receiving site and/or the requirements under the NMA;
- j. procedures and actions to be taken should the Waste not meet the quality criteria set out in the receiving site's Environmental Compliance Approval;
- k. procedures and actions to be taken should the current disposal options for the outgoing Waste become unavailable;
- l. procedures and actions to be taken should the occurrence of odour complaints require the Owner to implement additional odour control measures;
- m. procedures and actions to be taken should the occurrence of odour complaints require the Owner to suspend the Waste receiving and/or processing activities at the Site;
- n. emergency response procedures to be undertaken in the event of a spill, process upset, power failure, flood, fire or any other emergency situation, including specific clean-up methods for wastes expected to be generated from the emergency situation;
- o. procedures for waste processing management at the Site during the labour disruptions or transportation disruptions; and

- p. description of the preventative and control measures to minimize the occurrence or impacts of any of the above incidents.
2. The Owner shall implement the recommendations of the Contingency and Emergency Response Plan, immediately upon receipt of the written concurrence from the District Manager.
3. The Contingency and Emergency Response Plan shall be reviewed on a regular basis and updated, as necessary. The revised version of the Contingency and Emergency Response Plan shall be submitted to the District Manager for comments and concurrence and it shall be implemented immediately upon receipt of the written concurrence from the District Manager.
4. An up-to-date version of the Contingency and Emergency Response Plan shall be kept at the Site at all times, in a central location available to all staff, and shall be available for inspection by a Provincial Officer upon request.

44. OPERATIONS MANUAL

1. Prior to the first receipt of Waste at the Site, the Owner shall prepare an Operations Manual for use by the Site personnel. As a minimum, the Operations Manual shall contain the following:
 - a. outline the responsibilities of Site personnel;
 - b. personnel training protocols;
 - c. Waste receiving and screening procedures;
 - d. Waste unloading, handling, storage and processing procedures;
 - e. process monitoring procedures;
 - f. sampling and testing procedures;
 - g. Site inspections, spill, fire, upset and leakage recording procedures;
 - h. procedure for handling complaints as described in this Approval.
2. A copy of the Operations Manual shall be kept at the Site, must be accessible to personnel at all times and must be updated, as required.

45. STAFF TRAINING

1. All operators of the Site shall be trained with respect to the following:
 - a. relevant air, noise, wastewater and waste management legislation, regulations and guidelines;
 - b. major environmental concerns pertaining to the waste to be handled at the Site;
 - c. occupational health and safety concerns pertaining to the processes and wastes to be handled at the Site;
 - d. management procedures including the use and operation of equipment for the processes and wastes to be handled at the Site;
 - e. records keeping procedures;
 - f. contingency plan and emergency response procedures;
 - g. specific written procedures for the control of adverse effects from the Site;

- h. specific written procedures for refusal of unacceptable incoming Waste loads; and
 - i. the requirements of this Approval.
- 2. The training of the operators of the Site shall also include the procedures contained in the Operations Manual.
- 3. The training of the operators of the Site shall be undertaken:
 - a. upon commencing employment at the Site;
 - b. whenever procedures are updated.

46. EMERGENCY SITUATIONS RESPONSE and REPORTING

- 1. The Owner shall immediately take all necessary measures, as outlined in the Contingency Measures and Emergency Situation Response Plan, to handle the emergency situations occurring at the Site.
- 2. The Owner shall ensure that the equipment and materials outlined in the Contingency Measures and Emergency Situation Response Plan are immediately available at the Site at all times and are in a good state of repair and fully operational.
- 3. The Owner shall ensure that all Site personnel are fully trained in the use of the equipment and materials outlined in the Contingency Measures and Emergency Situation Response Plan, and in the procedures to be employed in the event of an emergency.
- 4. All Spills shall be immediately reported to the **Ministry's Spills Action Centre at 1-800-268-6060** and shall be recorded in the log book as to the nature and cause of the Spill, and the action taken for clean-up, correction and prevention of similar future occurrences.
- 5. Should a Spill occur at the Site, in addition to fulfilling the requirements from the EPA, the Owner shall submit to the District Manager a written report within three (3) calendar days outlining the nature of the Spill, remedial measure taken and the measures taken to prevent future occurrences at the Site.

47. RECORDS KEEPING and RETENTION

- 1. Daily Activities
 - a. The Owner shall maintain an on-site written or digital record of activities undertaken at the Site. All measurements shall be recorded in consistent metric units of measurement. The record shall include, as a minimum, the following:
 - i. date of record;
 - ii. quantity and type of the Waste received at the Site, including the incoming Waste characterization results, or published characterization data, as applicable;

- iii. quantity and type of the Waste or the Waste Mixture present at the Site in the Lagoons;
- iv. dates and duration of the mixing events;
- v. amount of the Waste or the Waste Mixture shipped from the Site, its categorization and destination;
- vi. quantity of the Residual Waste shipped for Final Disposal, the name of the receiving site and its Environmental Compliance Approval number;
- vii. quantity and type of any Rejected Waste rejected from the Site;
- viii. housekeeping activities, including litter collection, washing/cleaning activities, etc.

b. The Owner shall retain all records retaining to waste characterization required by this Approval for a minimum of five (5) years.

2. Emergency Situations

a. The Owner shall maintain an on-Site written or digital record of the emergency situations. The record shall include, as a minimum, the following:

- i. the type of an emergency situation;
- ii. description of how the emergency situation was handled;
- iii. the type and amount of material spilled, if applicable;
- iv. a description of how the material was cleaned up and stored, if generated; and
- v. the location and time of Final Disposal, if applicable.

3. Inspections

a. The Owner shall maintain an on-Site written or digital record of inspections as required by this Approval. The record shall include, as a minimum, the following:

- i. the name and signature of person that conducted the inspection;
- ii. the date and time of the inspection;
- iii. the list of any deficiencies discovered;
- iv. the recommendations for remedial action; and
- v. the date, time and description of actions taken.

4. Training

a. The Owner shall maintain an on-Site written or digital record of training as required by this Approval. The record shall include, as a minimum, the following:

- i. date of training;
- ii. name and signature of person who has been trained; and
- iii. description of the training provided.

5. Sampling and Testing

- a. The Owner shall establish and maintain a written or digital record of all sampling and testing activities at the Site. This record shall include, as a minimum, the following information:
 - i. waste sampled, sample collection locations and volume collected;
 - ii. day and time of collection;
 - iii. sample handling procedures;
 - iv. parameters tested for and the resulting concentrations;
 - v. name of the laboratory facility conducting the testing; and
 - vi. conclusions drawn with respect to the results of the monitoring and testing.

6. Monitoring

- a. The Owner shall establish and maintain a written or digital record of all monitoring activities at the Site as required by this Approval.

7. Complaints Management

- a. The Owner shall establish and maintain a written or digital record of complaints received and the responses made as required by this Approval.

8. Annual Report

- a. By June 30th following the end of each operating year, the Owner shall prepare and submit to the District Manager an Annual Report summarizing the operation of the Site covering the previous calendar year. This Annual Report shall include, as a minimum, the following information:
 - i. a monthly summary of the quality and the quantity of all incoming and outgoing Waste or the Waste Mixture, Residual Waste and Rejected Waste, including analytical data required to characterize the Waste or the Waste Mixture;
 - ii. material balance for each month documenting the amount of Waste or the Waste Mixture stored at the Site;
 - iii. a monthly summary of the quality and the quantity of the Waste or the Waste Mixture shipped from the Site and its final end-use destination (ie. agricultural or non-agricultural location) and address of the receiving site;
 - d. any environmental and operational problems, that could negatively impact the environment, encountered during the operation of the Site or during Site inspections and any mitigative actions taken;

- e. results of the monitoring carried out at the Site;
- f. any recommendations to minimize environmental impacts from the operation of the Site and to improve Site operation and monitoring programs in this regard;
- g. a summary of any complaints received and the responses made;
- h. an update on the amount of Financial Assurance which has been provided to the Director;
- i. a summary of all inspections and maintenance carried out at the Site;
- j. a written statement that the Site was in compliance with the Approval; and
- k. any other information the District Manager requires from time to time.

48. SITE CLOSURE

- (1) The Owner shall submit, for approval by the Director, a written Closure Plan four (4) months prior to the permanent closure of the Site. This plan must include, as a minimum, a description of the work that will be done to facilitate closure of the Site and a schedule for completion of that work.
- (2) Within ten (10) days after closure of the Site, the Owner must notify the Director, in writing, that the Site is closed and that the Closure Plan has been implemented.

Schedule 1

1. Application for an Environmental Compliance Approval dated February 12, 2021, signed by Christine Hill, IBI Group Professional Services Inc. and including the following attachments:
 - a. Letter February 11, 2021 letter Christine Hill, IBI Group Professional Services Inc.
 - b. 02-ECA Non-Technical Attachments – Bartels Lagoons
 - Proof of Name
 - Support Letters
 - Conservation Authority Confirmation
 - Proof of Notification
 - Site Plan
 - Zoning Confirmation Letter
 - Land Use, Zoning and Area Mapping
 - c. 03A and 03B-ECA Technical Attachments – Bartels Lagoons
 - Design and Operations Report
 - Design and Operations Report Appendices
 - Appendix A – Supporting Documentation
 - Appendix B – Site Plan and Zoning
 - Appendix C – Process Schematic and Mass Balance Calculations
 - Appendix D – Hydrogeology Report
 - Appendix E – Stormwater Management Report
 - Appendix F – Contingency Plan and Spills Training
2. E-mail dated February 1, 2022 (9:24 a.m.) from Christine Hill , IBI Group Professional Services Inc. with the additional information on the proposal, including the attachments entitled:
 - a. "MECP Comments_Responses_Bartel_Environmental_Feb_1_2022.docx"
 - b. "Revised Figure2-3_Truck Entry Schematic.PNG"
 - c. "Third High Farms-Bartels-Dublin.pdf"
 - d. "Lagoon Plan and Sections.pdf"
 - e. "Terrapure - Bartels Dublin Lagoon Quotation.pdf"
3. E-mail dated February 2, 2022 (11:15 a.m.) from Aleah Henry, IBI Group Professional Services Inc. with information on the proposed odour control agent, including the attachment entitled "SDS BIOLOGIC SR2 No Fragrance.pdf".
4. E-mail dated February 23, 2022 (2:59 p.m.) from Aleah Henry, IBI Group Professional Services Inc. with information on the proposed loading into the lagoons.
5. E-mail dated April 12, 2022 (10:57 a.m.) from Aleah Henry, IBI Group Professional Services Inc. to change the proposal to withdraw discharge of the supernatant to the natural environment and to

change the application to a single waste medium proposal.

6. E-mail dated April 25, 2022 (11:31 p.m.) from Aleah Henry, IBI Group Professional Services Inc. to submit a revised Design and Operations Report, included in the attachment entitled "D&O-Report_Revised20220425_Bartels Lagoon_REF2178-BYARG9.pdf".
7. E-mail dated April 25, 2022 (11:31 a.m.) from Ron Nienhuis, Bartels Group, to submit additional information on public notification of the proposal.

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

Conditions **1.**, **3.**, **4.**, **5.**, **8.** and **10.** are included to clarify the legal rights and responsibilities of the Owner.

Condition **2.** is included to ensure that the Site is build and 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.

Condition **6.** is included 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. Condition **6.2.** is included 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.

Condition **7.** is included to ensure that the appropriate Ministry staff has ready access to the operations of the Site which are approved under this Approval. The condition is supplementary to the powers of entry afforded a Provincial Officer pursuant to the EPA, the OWRA, the PA, the NMA and the SDWA.

Condition **9.** is included 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.

Condition **11.** is included, pursuant to subsection 197(1) of the EPA, 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.

Condition **12.** is included to ensure that the Site's users, operators and the public are fully aware of important information and restrictions related to the operation of the Site. Condition **12.** is also included to ensure that the Site is sufficiently secured, supervised and operated by properly Trained Personnel and to ensure controlled access and integrity of the Site by preventing unauthorized access when the Site is closed and no Site personnel is on duty.

Condition **13.** is included to specify the approved and prohibited Waste types and the service area from which the Waste may be accepted at the Site based on the Owner's application and supporting

documentation.

Condition **14.** is included to specify the approved Waste receipt rates based on the Owner's application and supporting documentation.

Condition **15.** is included to specify the hours of operation for the Site to ensure that the hours of Site's operation do not result in an Adverse Effect or a hazard to the natural environment or any person.

Conditions **16.** through **23.** are included to ensure that all Waste management including receipt, storage, processing, treatment and transfer, management of run-off and the discharges to the atmosphere are undertaken in done in a way which does not result in an Adverse Effect or a hazard to the environment or any person and are in accordance with the application and supporting documentation submitted by the Owner, and not in a manner which the Director has not been asked to consider.

Condition **17.** is also included to ensure that only the approved the Waste types are accepted at the Site.

Condition **18.** is also included to identify the amounts of the Waste approved to be present at the Site at any one time for the purpose of calculating the Financial Assurance requirements for the Site.

Conditions **24.** and **25.** are included to clarify the scope of this Approval and to list the activities that were not considered by the Director under this Approval.

Conditions **26.** and **27.** are included to require the equipment used for waste management and pollution control to be inspected and maintained thoroughly and on a regular basis to ensure that the operations at the Site are undertaken in a manner which does not result in an Adverse Effect or a hazard to the health and safety of the environment or any person.

Condition **28.** is included to identify the parameters to be tested so that the Waste or the Waste Mixture are properly characterized to ensure their compatibility with the proposed off-Site destinations.

Condition **29.** is included to identify the parameters to be tested for so that the Clean-Out Material is properly characterized to ensure its compatibility with the proposed off-Site destinations.

Condition **30.** is included to set out the testing requirements that the Owner is responsible for so that the incoming Waste is properly characterized to ensure its compatibility with the proposed off-Site destinations.

Condition **31.** is included to set out the testing requirements that the Owner is required to carry out at the Site so that the outgoing Waste or the outgoing Waste Mixture are properly characterized to ensure its compatibility with the proposed off-Site destinations.

Condition **32.** is included to ensure that the outgoing the Waste or the Waste Mixture is managed at an end-use site or disposed of in accordance with the Ministry's or the Ontario ministry's responsible for administering the NMA regulatory requirements and in a manner that protects the health and safety of

the public and the environment.

Condition **33.** is included to require that the groundwater at the Site is appropriately monitored to ensure that the Site is operated in an environmentally acceptable manner which does not result in a negative impact on the natural environment or any person.

Conditions **34.** through **40.** and Condition **42.** are included to ensure that the Site is operated and maintained in an environmentally acceptable manner which does not result in a negative impact on the natural environment or any person.

Condition **41.** is included to require the Owner to respond to any environmental complaints resulting from the operations at the Site appropriately and in a timely manner and that appropriate actions are taken to prevent any further incidents that may cause complaints in the future.

Condition **43.** is included to ensure that the Owner is prepared and properly equipped to take action in the event of an emergency situation.

Conditions **44.** and **45.** are included to ensure that personnel employed at the Site are fully aware and properly trained on the requirements and restrictions related to Site operations under this Approval.

Condition **46.** is included to require further spill notification to the Ministry, in addition to the requirements already listed in Part X of the EPA.

Condition **47.** is included to ensure that detailed records of Site activities, inspections, monitoring and upsets are recorded and maintained for inspection and information purposes.

Condition **48.** is included to ensure that final closure of the Site is completed in accordance with Ministry's standards.

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**

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 1st day of July, 2022



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

MW/

c: District Manager, MECP London - District
Christine Hill P. Eng.
Aleah Henry, Process Engineer
, IBI Group