

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 9581-BMSGYQ
Issue Date: August 8, 2022

Sarnia Paving Stone Ltd.
456 McGregor Side Rd
Sarnia, Ontario
N7T 7H5

Site Location: 456 McGregor Side Road
456 McGregor Side Rd
Sarnia City, County of Lambton, Ontario
N7T 7H5

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 use and operation of a 2.2 hectare waste disposal site, having one (1) 802 m² building, one (1) 9,200 litre concrete underground storage tank and two partially buried concrete Liquid Soil containment cells each having capacity of 239 cubic metre, to be used for the transfer and processing of the following types of waste:

municipal solid waste limited to the residential, construction and demolition (C&D), industrial, commercial and institutional (ICI) sectors, contaminated soil, used tires, waste asphalt pavement, waste asphalt shingles, porcelain, and recyclable wastes limited to waste types listed in Schedules 1, 2 and 3 of Ontario Regulation 101/94 and Liquid Soil resulting from Hydrovac operations.

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

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

"Competent" means an employee who has received training in accordance with Conditions 6.2 and 6.3 and is qualified because of knowledge, training and experience, to organize the work and its performance;

"Director" means any Ministry employee appointed in writing by the Minister pursuant to section 5 of the EPA as a Director for the purposes of Part II.1 of the EPA;

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

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

"Excess Soil Standards" means the document entitled "Part II: Excess Soil Quality Standards", published by the Ministry and dated November 19, 2019, available on a website of the Government of Ontario as Part II of the document entitled "Rules for Soil Management and Excess Soil Quality Standards";

"Hydrovac Soil" means Liquid Soil generated by the use of high water pressure and vacuum extraction technology;

"Liquid Soil" as defined in Ontario Regulation 406/19 of the EPA, as amended;

"Ministry" or "MECP" 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, as amended;

"Ontario Regulation 153/04" means Ontario Regulation 153/04, Records of Site Condition - Part XV.1 of the EPA, as amended;

"Owner" means Sarnia Paving Stone Ltd., including its officers, employees, agents or contractors;

"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;

"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 from time to time;

"Provincial Officer" means any person designated in writing by the Minister as a Provincial Officer pursuant to Section 5 of the OWRA or Section 5 of the EPA or Section 17 of PA;

"Qualified Person" means a person who meets the qualifications to be a qualified person for conducting a phase one and a phase two environmental site assessment and for completing certifications in a record of site condition, as set out in Section 5 of Ontario Regulation 153/04 made under the EPA;

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

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

"Regulation 101/94" means Ontario Regulation 101/94, Recycling and Composting of Municipal Waste, made under the EPA, R.S.O. 1990, c. E.19, as amended;

"Site" means the processing facility permitted under this Approval, located at 456 McGregor Side Road, Sarnia City, County of Lambton, Ontario;

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

"Soil Rules" means the document entitled "Part I: Rules for Soil Management", published by the Ministry and as amended from time to time, available on a website of the Government of Ontario as Part I of the document entitled "Rules for Soil Management and Excess Soil Quality Standards"; and

"trained" means an employee who has been trained in accordance with Condition 6.2.

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

TERMS AND CONDITIONS

PART 1 - GENERAL

In Accordance

- 1.1 Except as otherwise provided by these conditions, the Site shall be designed, developed, used, maintained and operated, and all facilities, equipment and fixtures shall be built and installed, in accordance with the Environmental Approval Applications dated December 4, 2019 and December 23, 2021, signed by Dino Caschera, President, Sarnia Paving Stone Ltd., and supporting documentation, and plans and specifications listed in Schedule "A".
- (a) Construction and installation aspects of the Site described in the most recent application for this Approval must be completed and must commenced operations within 5 years of the later of:
 - i. the date of this Approval; or
 - ii. 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.
 - (b) This Approval ceases to apply in respect of the aspects of the Site noted above that have not been constructed or installed or commenced operations before the later of the dates identified in Condition 1.1(a).

Other Legal Obligations

- 1.2 The requirements specified in this Approval are the requirements under the EPA. The issuance of this Approval in no way abrogates the Owner's legal obligations to take all reasonable steps to avoid violating other applicable provisions of this legislation and other legislation, regulations and by-laws.

1.3 The Owner shall ensure that:

- a. all equipment discharging to atmosphere are approved under Section 9 of the ECA where applicable; and
- b. all effluent discharging into the natural environment is in accordance with Section 53 of the OWRA.

Interpretation

1.4 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, the application of such requirement to other circumstances and the remainder of this Approval shall not be affected in any way.

- 1.5 a. Where there is a conflict between a provision of any document referred to in Schedule "A", and the conditions of this Approval, the conditions in this Approval shall take precedence; and
- b. Where there is a conflict between documents listed in Schedule "A", the document bearing the most recent date shall prevail.

1.6 The Owner shall ensure compliance with all the terms and conditions of this Approval. Any non-compliance constitutes a violation of the EPA, and is grounds for enforcement.

Availability of Information

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

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

Ministry Inspections

- 1.8 The Owner shall allow the Provincial Officer, or a Ministry authorized representative(s), upon presentation of credentials, to:
- a. carry out any and all inspections authorized by Section 156, 157 or 158 of the EPA, Section 15, 16 or 17 of the OWRA, or Section 19 or 20 of the PA, of any place to which this Approval relates; and,
 - b. without restricting the generality of the foregoing, to:
 - i. enter upon the premises where the records required by the conditions of this Approval are kept;
 - ii. have access to and copy, at reasonable times, any records required by the conditions of this Approval;
 - iii. inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations required by the conditions of this Approval; and
 - iv. sample and monitor at reasonable times for the purposes of assuring compliance with the conditions of this Approval.

Notice of Changes

- 1.9 The Owner shall ensure that all communications/correspondence made pursuant to this Approval includes reference to the Approval number.
- 1.10 The Owner shall notify the Director in writing of any of the following changes within thirty (30) days of the change occurring:
- a. change in ownership of the Site;
 - b. appointment of, or change in, an Operator of the Site;
 - c. change of address of the Owner;
 - d. change of partners where the Owner or Operator is or at any time becomes a partnership, and a copy of the most recent declaration filed under the Business Names Act, 1991 shall be included in the notification to the Director;
 - e. any change of name of the corporation where the Owner or Operator is or at any time becomes a corporation, and a copy of the most current "Initial Notice or Notice of Change" (form 1 or 2 of Ontario Regulation 182, Chapter C-39, R.R.O. 1990 as amended from time to time), filed under the Corporations Information Act shall be included in the notification to the Director; and
 - f. change in directors or officers of the corporation where the Owner or Operator is or at any time becomes a corporation, and a copy of the most current "Initial Notice or Notice of Change".
- 1.11 In the event of any change in ownership of the Site, the Owner shall notify, in writing, the succeeding owner of the existence of this Approval, and a copy of such notice shall be forwarded to the Director.

Release of Information

- 1.12 Any information relating to this Approval and contained in Ministry files may be made available to the public in accordance with the provisions of the Freedom of Information and Protection of Privacy Act, R.S.O. 1990, C. F-31.

PART 2 - FINANCIAL ASSURANCE

- 2.1 a. Within thirty (30) days of issuance of this Approval, the Owner shall submit to the Director Financial Assurance, as defined in the EPA, in the amount of CAD\$67,776.00. This financial assurance shall be submitted in a form acceptable to the Director and shall provide sufficient funds for the analysis, transportation, Site clean-up, and disposal of all quantities of waste on the Site at any one time.
- b. By August 31st, 2027, and 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 2.1(a). 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 assessment due on August 31st., 2027 shall be supported by at least three quotations obtained from third party vendors for removal, transportation and disposal of residual solid and liquid wastes. The financial assurance must be submitted to the Director within thirty (30) days of written acceptance of the re-evaluation by the Director.
- c. Commencing on August 31st, 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 2.1(a) for each of the intervening years in which a re-evaluation is not required to be submitted to the Director under Condition 2.1 b. The re-evaluation shall be made available to the Ministry, upon request.
- d. 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 Owner shall forthwith replace the Financial Assurance with cash.

PART 3 - OPERATIONS

Hours of Operation

- 3.1 The approved hours of operation for this Site are as follows:
- a. Waste processing may take place 24 hours per day, seven (7) days per week;
- b. Notwithstanding Condition 3.1.a. the hours of operation shall be in accordance with Municipal noise by-laws.

Signage and Security

- 3.2 a. A sign shall be posted in a prominent location at the entrance to the Site. The sign shall include the following information at a minimum:
- i. Site name and Approval number;
 - ii. the hours of operation when the Site is open to accept waste;
 - iii. a telephone number at which the Owner can be reached at all times in the event of an emergency or complaint.
- b. The Site shall be gated, fenced and maintained in a secure manner to prevent unauthorized persons from entering.

Approved Waste Types and Processes

- 3.3 This Site is approved to receive municipal solid waste limited to the residential, industrial, commercial, and institutional sectors located within the Province of Ontario including:
- a. Construction and demolition waste;
 - b. Wood waste;
 - c. Used tires;
 - d. Contaminated soil;
 - e. Waste asphalt pavement;
 - f. Porcelain.
 - g. Waste asphalt shingles;
 - h. Recyclable wastes limited to those wastes identified in Schedules 1, 2, and 3 of O. Reg. 101/04; and
 - g. Liquid Soil (Hydrovac)

Inspection of Incoming Waste

- 3.4 The Owner shall ensure that all incoming Liquid Soil is visually inspected at the time of unloading for sheen or olfactory odour to ensure the incoming Liquid Soil is not potentially impacted with petroleum hydrocarbons or other organic chemicals.
- 3.5 a. In the event that incoming waste is an unapproved waste type, the Owner/Operator shall refuse receipt of the waste and re-direct the hauler to a facility approved to received the waste type; or
- b. If refusal of incoming unapproved waste type is not feasible, or if the unapproved waste type is not discovered until after receipt at the Site, the Owner/Operator shall segregate the waste in a location and manner that prevents contact with precipitation, stormwater runoff, generation of dust or other hazards and nuisances, and the waste shall be removed to an approved facility within 5 days.

- c. Prior to the expected delivery of incoming Liquid Soil, the Owner shall obtain and review the available information about the Liquid Soil generating site, that may not be limited to, the following:
 - i. Location of project area (address or legal description)
 - ii. Number of vac-truck loads anticipated
 - iii. Historical and current existing Land Use (if known)
 - iv. Available environmental reports; and
 - v. Known or expected contaminants of concern at the project area.

Approved Waste Quantities

- 3.6 The Owner/Operator shall ensure that waste received at the Site does not exceed:
 - a. A total of 328,500 tonnes of waste in any calendar year including:
 - i. 219,000 tonnes of waste; and
 - ii. 109,500 tonnes of recyclable waste.
 - b. A total of 300 tonnes of recyclable waste received in any given day; and
 - c. A total of Liquid Soil of 410 cubic metre per day and 2,460.0 cubic metre per month.
- 3.7 In the event that processed waste cannot be shipped from the Site and the maximum quantities approved in Condition 3.6 has been reached, the Owner/Operator shall cease accepting additional waste and provide the District Manager with a written contingency plan, within three (3) business days, which describes how the existing waste will be disposed of. The contingency plan shall be implemented upon obtaining written approval of the District Manager.

Waste Storage

- 3.8 The Owner/Operator shall ensure that the maximum amount of waste stored on site does not exceed a total of 1,310.0 tonnes and is limited to:
 - a. A total of 600 tonnes of municipal solid waste that is specified in Condition 3.3;
 - b. A total of 300 tonnes of recyclable waste that is specified in Condition 3.6(b);
 - c. A total of 9,200 litres of leachate generated from processed waste in an underground concrete storage tank.
 - d. A total amount of 410 tonnes of decanted Liquid Soil at any time;
 - e. No more than 10,000 cubic metre of processed or solidified soils from processing of Liquid Soils stored at any one time; and
 - f. A total of 273 cubic metre of decanted effluent originated from dewatering of Liquid Soil.
- 3.9 The Company shall ensure that the 9,200 litre underground concrete storage tank used for leachate collection from the processing floor meets the following requirements:
 - a. Commencing in the year 2023 and every second year thereafter, is drawn-down and visually inspected to evaluate the structural integrity of the tank;

- b. Is fitted with a high liquid level alarm which is monitored remotely to notify the Owner and Operator when 80% of the total holding capacity has been reached; and
 - c. For each day the Site is open the underground concrete storage tank shall be visually inspected at the beginning and end of each day.
- 3.10 The Owner/Operator shall ensure that waste is stored in a manner which minimizes potential adverse effects such as dust, contaminated runoff, and odours.
- a. Notwithstanding Condition 3.10, the Owner/Operator shall ensure outdoor waste storage is done in accordance with the Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4, as amended.
- 3.11 The sawdust or woodchips materials to be used for dewatering or solidifying Liquid Soil shall not be a pressure-treated wood product.
- 3.12 The processed solidified soils resulting from dewatering/processing of Liquid Soil shall not be stored within 10 m of the fence line.
- 3.13 The processed solidified soils stored outside for drying purpose shall be placed on an impermeable surface and in a designated waste storage area as shown on a Site Plan, included in Item 4 of Appendix A, and the processed solidified soils of different chemical quality shall be managed (segregated) to avoid mixing of processed soils of different quality.

Testing - Processed Liquid Soil

Sampling Frequency

- 3.14 The Owner shall collect samples of processed solidified soils after processing of Liquid Soil at minimum frequencies in accordance with:
- a. subsection 2(3)16 of Section B of Part I of the Soil Rules; and
 - b. subsections 2(5)2 and 2(5)4 of Section B of Part I of the Soil Rules when testing for leachability.

Sampling and Testing Methodology

- 3.15 The Owner shall follow the following sampling and analytical methodology for solidified soils generated as a result of solidification of Liquid Soil:
- a. subsection 2(4) of Section B of Part I of the Soil Rules; and Ministry's document entitled "Principles of Sampling and Analysis of Waste for TCLP under Regulation 347" dated February, 2002, as amended.;
 - b. A slump test on the solidified soil shall be completed as per "Test Method for the Determination of Liquid Waste" (SLUMP TEST) of Schedule 9 of Regulation 347, as amended.

Parametres

- 3.16 The Owner shall ensure that, at a minimum, the processed soils (dried hydrovac -Liquid Soil) shall be analyzed for the following parameters:
- a. petroleum hydrocarbons (F1 through F4) including benzene, toluene, ethylbenzene, xylenes;
 - b. metals and hydride-forming metals (antimony, arsenic, barium, beryllium, boron, cadmium, chromium, cobalt, copper, lead, molybdenum, nickel, selenium, silver, thallium, uranium, vanadium and zinc);
 - c. sodium adsorption ratio (SAR) and electrical conductivity (EC)
 - d. volatile organic compound (VOC) and semi-volatile organic compounds (SVOC) including poly-aromatic hydrocarbon (PAH); and
 - e. leachate analysis for certain contaminants as outlined in subsection 2 (5) in Section B of PART I of Soil Rules.
 - f. slump testing on processed solidified soils to ensure the blended waste is a solid waste.

Soil and Waste Removal

- 3.17 The Owner shall ensure that all waste, including waste destined for recycling and/or re-use or disposal, is transported and disposed of in accordance with Regulation 347, the EPA or the OWRA.
- 3.18 Further to Condition 3.17, the Owner shall ensure that soil, generated as a result of the dewatering of Liquid Soil is transferred from the Site only as follows:
- a. to an approved waste disposal facility permitted to accept the soil under Part II.1 of the EPA;
 - b. to an approved waste disposal facility for use as daily, intermediate or final cover in accordance with the requirements set out in the Environmental Compliance Approval for the receiving waste disposal facility;
 - c. to a receiving property that is being cleaned-up in accordance with Ontario Regulation 153/04, provided that the soil deposited on, in, or under the receiving property complies with the requirements set out in Ontario Regulation 153/04;
 - d. to a pit or quarry under the Aggregate Resources Act, R.S.O. 1990, c.A.8 only if:
 - i. a Qualified Person has confirmed, in writing, that the concentrations of constituent contaminants of the soil, and the deposition of the soil at the pit or quarry, are in accordance with the Aggregate Resources Act, R.S.O. 1990, c.A.8 and the regulations, the site plan and the conditions of the licence or permit under the Aggregate Resources Act, R.S.O. 1990, c.A.8; and
 - ii. a Qualified Person has determined it is appropriate to bring the soil to the pit or quarry, and this determination was done with consideration given to the contaminant volumes and loadings, the impacts on the existing conditions at the pit or quarry, and the introduction of new contaminants to the pit or quarry;

- e. to a receiving property that is not listed in paragraphs (a) through (d) above, provided that the receiving property has been assessed by a Qualified Person, and the Qualified Person has confirmed, in writing, that the maximum concentrations of constituent contaminants of the soil do not exceed the following quality criteria:
 - i. the receiving property's existing average concentrations of said constituents in the horizon in which the soil is to be deposited, or in the horizon of equivalent depth immediately below the fill if the soil is to be applied to the surface of the receiving property; or
 - ii. the appropriate generic Soils Standards for the current land use of the receiving property, if the said generic Soil Standards are lower than the receiving property's existing average concentrations referred to in (i) above; or
 - iii. the appropriate generic Soil Standards for the current land use of the receiving property, provided that a Qualified Person has confirmed, in writing, that this generic approach is reasonable, after having considered the Standard, including a consideration of the factors used in setting the generic Soil Standards.

3.19 Prior to transferring processed soils in accordance with Condition 3.18, the Owner shall obtain from the receiving property's owner, written confirmation, as certified by a Qualified Person, that:

- i. the soil quality and quantity is appropriate for the receiving property; and
- ii. the receiving property's owner agrees to accept the soil; and
- iii. the deposition of the soil at the receiving property will not cause an adverse effect, as defined in the EPA.

3.20 The Qualified Person shall certify that the confirmation required in Conditions 3.18 above, have been based on engineering or scientific opinions made in accordance with generally accepted principles and practices, as recognized by members of the environmental engineering or science profession or discipline, practising at the same time and in the same or similar location.

3.21 Prior to the removal and disposal of solidified soils generated as a result of solidification of the Liquid Soil, the results of the leachate toxicity testing completed as per condition 3.14 shall be compared with Schedule 4 - Leachate Quality Criteria of Regulation 347.

3.22 Within 4 days of determining that the processed solidified soils are non-hazardous contaminated waste, the Owner shall remove the processed solidified soils from the Site and disposed of at a facility which is approved to accept such waste.

Nuisance Control

3.23 The Owner/Operator shall operate and maintain the Site in a manner which ensure the health and safety of all persons and the protection of the environment through active prevention of environmental adverse effects, including but not limited to odours, dust, litter, vermin and noise.

3.24 The Owner/Operator shall ensure that:

- a. there is no queuing or parking of vehicles that are waiting to enter this Site on public roadways; and
- b. vehicles do not drag waste from the Site onto the public roadway.

Surface Water Management

- 3.25 The Owner shall store decanted water (effluent from Liquid Soil) in tankers, each having capacity of 43,000 L and at any given time, 7 empty tankers each having capacity of 43,000 L, or where these sized tankers are unavailable the total available capacity of the tankers is greater than 282,200 L, shall be available at the Site for management of the decanted water from Liquid Soil.
- 3.26 Surface water run-off from the storage of recovered stockpiled recycling materials including processed dry soil shall be managed such that its discharge does not cause unacceptable impact on the natural environment.

In-Built Drawing

- 3.27 A final detailed design consistent with the conceptual design of the Liquid Soil Containment Area (LSCA), to be constructed at the Site, as provided in Item 4 of Schedule "A" shall be prepared. Within 30 days after construction of the LSCA, the Owner shall provide to the Director and District Manger "in-built" drawings of the liquid soil containment area and a report from the QP confirming that the LSCA is built as per conceptual design provided in the Design and Operations Report, dated December 22, 2021, which is included as Item 4 in Schedule "A".

PART 4 - SITE INSPECTION AND MAINTENANCE

Site Inspections

- 4.1 The Owner/Operator shall have in place an inspection program that ensures that the Site is secure, that no off-site impacts such as vermin, vectors, odours, dust, litter, noise or traffic result from the operation of the facility, and that emergency equipment is available and in good working order. The inspection program shall consist of the following at a minimum:
 - a. a list of all equipment and areas of the Site that require inspection;
 - b. a schedule that details the frequency of the inspections; and
 - c. checklists and procedures for carrying out the inspections.
- 4.2 The Owner/Operator shall ensure that all equipment and facilities are inspected by trained personnel in accordance with the inspection program required under Condition 4.1. At a minimum, a visual inspection shall be conducted on each operating day of the following areas:
 - a. loading/unloading area(s);
 - b. processing area(s);
 - c. storage area(s);
 - d. security fences and gates; and

- e. stormwater catchbasins.

Any deficiencies detected during these regular inspections must be promptly corrected.

Preventative Maintenance

- 4.3 The Owner/Operator shall have in place a maintenance program that ensures that all equipment and facilities at the Site are maintained in good working order at all times. The maintenance program shall consist of the following at a minimum:
 - a. a list of all equipment that requires maintenance;
 - b. a schedule that details the type and frequency of maintenance required, in accordance with manufacturer's recommendations; and
 - c. checklists and procedures for conducting maintenance activities.
- 4.4 The Owner/Operator shall ensure that all equipment is maintained in accordance with the preventative maintenance program required by Condition 4.3.

PART 5 - SPILLS AND EMERGENCY RESPONSE AND REPORTING

Spill Reporting

- 5.1 All spills, as defined in the EPA, shall be immediately reported to the Ministry's Spills Action Centre at 416-325-3000 or 1-800-268-6060.

Spills and Emergency Response

- 5.2 The Owner/Operator shall promptly take all necessary steps to contain and clean up any spills which result from the operation of the Site.
- 5.3 a. The Owner/Operator shall have in place an emergency response plan. The plan shall include, at a minimum:
 - i. a list of emergency equipment available on Site;
 - ii. a site plan showing all storage areas and the type of waste (or product) stored in each area;
 - iii. a notification protocol with the names and telephone numbers of persons to be contacted in the event of an emergency including Municipal personnel, the Ministry's Spills Action Centre and District Office, local fire department and contractors specialized in spill/emergency response;
 - iv. procedures to follow in the event of a fire, spill, medical or other emergency.
- b. A copy of the emergency response plan shall be kept in a central location available to Site employees at all times. A copy shall also be kept at the main entrance accessible to Emergency and Fire Services.
- c. The Owner/Operator shall ensure that the equipment outlined in the emergency response plan is in a state of good repair, fully operational and immediately available at all times.

Contingency Plan

- 5.4 The Owner/Operator shall have in place a contingency plan which specifies, at a minimum, the procedures to be followed in the event of a labour disruption, transportation disruption, inability of receiving sites to accept processed wastes, power outage or other business disruption to the operation.

PART 6 - TRAINING

- 6.1 The Owner/Operator shall ensure that:
- a. no waste is received or processed at the Site except when the Site is under the direct supervision of the Competent person; and
 - b. only trained personnel shall operate any aspect of the Site, or carry out any activity required under this Approval.
- 6.2 The Owner shall ensure that employees are trained, and receive annual refresher training, on the operation and management of the Site, or area(s) within the Site, in accordance with the specific job requirements of each individual, including but not limited to:
- a. an outline of the responsibilities of employees;
 - b. waste receiving and recording procedures (including recording procedures of wastes which are refused at the Site);
 - c. waste storage, handling, processing and shipping procedures;
 - d. any environmental concerns pertaining to the wastes accepted at the Site;
 - e. occupational health and safety concerns pertaining to the waste received;
 - f. procedures for the safe operation of equipment;
 - g. procedures to be followed in the event of a process upset;
 - h. the use of equipment and the procedures to be followed in the event of an emergency;
 - i. recording procedures as required under Conditions 8.5, 8.6, 8.7 and 8.8;
 - j. inspection procedures as required under Condition 4.2;
 - k. preventative maintenance procedures as required under Conditions 4.3 and 4.4; and
 - l. procedures for recording and responding to public complaints.
- 6.3 The Owner shall ensure that employees who manage operations at the Site are trained, and receive annual refresher training in:
- a. relevant waste management legislation, including but not limited to Regulation 347;
 - b. terms, conditions and operating requirements of this Approval.

PART 7 - COMPLAINTS

- 7.1 If at any time the Owner/Operator receives complaints regarding the operation of the Site, the Owner/Operator shall respond to these complaints according to the following procedure:
- a. the Owner/Operator shall record each complaint on a formal complaint form entered in a sequentially numbered log book. The information recorded shall include:
 - i. the nature of the complaint;
 - ii. the name, address and telephone number of the complainant (if provided);
 - iii. weather conditions and wind direction;
 - iv. the operations that were occurring during the time period that generated the complaint; and
 - v. the time and date of the complaint.
 - b. the Owner/Operator, upon notification of the complaint, shall initiate appropriate steps to determine all possible causes of the complaint and proceed to take the necessary actions to eliminate the cause of the complaint and forward a formal reply to the complainant; and
 - c. the Owner/Operator shall notify the District Office, in writing, within two (2) business days of the complaint date, listing the actions taken to resolve the complaint and any recommendations for remedial measures, and managerial or operational changes to reasonably avoid the reoccurrence of similar incidents.

PART 8 - DOCUMENTATION

Record Retention

- 8.1 All records required by the conditions of this Approval shall be kept at the Site for a minimum period of two (2) years from the date of their creation.

Design and Operations Report

- 8.2
- a. The Owner shall maintain an up-to-date Design and Operations Report for the facility. The report shall be reviewed annually and amended as required to reflect actual operating conditions.
 - b. Changes made to the Design and Operations Report, that do not require an amendment to this Approval, shall be recorded in the log required by Condition 8.5.
 - c. An updated copy of the Design and Operations Report shall be submitted with future Environmental Compliance Approval applications.
 - d. The Design and Operations Report shall be available for inspection by a Provincial Officer upon request.

Operating Procedures

- 8.3 The Owner shall have in place operating procedures for each waste related activity undertaken at the Site. Procedures shall be developed, and kept current for the following at a minimum:
- a. equipment or facility inspection, monitoring and testing protocols;
 - b. waste receiving/screening and pick-up/shipping procedures;

- c. waste unloading, handling, processing and storage procedures; and
- d. complaint handling and investigation procedures.

8.4 The operating procedures shall be:

- a. kept in locations available to staff performing the required activities; and
- b. reviewed and updated on a regular basis.

Record

8.5 The Owner shall maintain, at the Site, a log which records daily the following information at a minimum:

- a. date of record;
- b. quantities of waste received;
- c. amounts of waste processed;
- d. quantity and destination of processed soil transferred from the Site; and
- e. end of day reconciliation of the amount of waste and processed soil present on Site

8.6 The Owner/Operator shall maintain a record of inspections completed in accordance with Condition 4.2. The record shall include, at a minimum:

- a. name and signature of trained personnel conducting the inspection;
- b. date and time of the inspection;
- c. list of equipment inspected and all deficiencies observed;
- d. recommendations for remedial action to correct deficiencies; and
- e. date deficiencies were addressed.

8.7 The Owner/Operator shall maintain a record of preventative maintenance work completed in accordance with Conditions 4.3 and 4.4. The record shall include, at a minimum:

- a. name and signature of person conducting the maintenance work;
- b. date and time that maintenance work was completed;
- c. equipment or part of equipment on which maintenance work was performed;
- d. the type of maintenance work performed; and
- e. date of next scheduled maintenance work.

8.8 The Owner/Operator shall maintain a record of all spills or upset that occur at the Site. The record shall include, at a minimum:

- a. date and time of spill/upset;
- b. the nature of the spill or upset;
- c. the clean-up action taken;
- d. details of notification of authorities (if necessary); and
- e. action taken to prevent future occurrences.

Annual Report

- 8.9 By March 31st of every year, the Owner shall prepare and submit to the District Manager, in electronic file format, an annual report for the previous calendar year. This report shall be retained on-site for a minimum of two (2) years. Each report shall include, at a minimum, the following information:
- a. a detailed daily and monthly summary of the type and quantity of all incoming and outgoing wastes;
 - b. any environmental and operational problems that could negatively impact the environment encountered during the operation of the Site, or during the facility inspections, and any mitigative actions taken;
 - c. a statement as to the Site's compliance with all Conditions of this Approval and with the inspection and reporting requirements of the Conditions herein;
 - d. any recommendations to minimize environmental impacts from the operation of the Site and to improve Site operations in this regard;
 - e. a summary of waste loads refused including the generator of the load, the date of refusal, reason for refusal of the load and the destination of the load after refusal; and
 - f. a detailed summary of the information to be collected under conditions required by Conditions 3.5, 3.14, 3.16, 3.18 and 4.2 including an annualized reconciliation between all wastes received and processed at the Site and all residual wastes and processed wastes transferred from the Site.

PART 9 - CLOSURE PLAN

- 9.1 The Owner must submit, for approval by the District Manager, a written closure plan for the Site at least four (4) months prior to 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.
- 9.2 Within ten (10) days after closure of the Site, the Owner must notify the Director and District Manager, in writing, that the Site is closed and that the Site closure plan has been implemented.

Schedule "A"

The following Schedule "A" forms part of the Environmental Compliance Approval.

1. Environmental Compliance Approval application, signed by Dino Caschera, President Sarnia Paving Stone Ltd., dated December 4, 2019.
2. Letter to Craig Fowler (MECP) from Brent Langille (RDWI) titled "Response to MECP Comments SPS Waste Station Project", dated April 2, 2020.
3. Email to Craig Fowler (MECP) from Brent Langille (RDWI), dated April 16, 2019.
4. Application for Environmental Compliance Approval of Waste Disposal Site, dated December 22, 2021 including report prepared by RDWI titled "Managing Liquid Soils: Design and Operations Report - Addendum", dated December 22, 2021.
5. RDWI response dated June 30, 2022, Re: Response to Technical Comments, SPS Waste ECA Amendment, MECP Reference No. 5743-C9YQZ2, RDWI Reference No. 2103439.
6. Email from Phil Janisse of RDWI dated July 14 including attachment for an updated Financial Assurance.
7. RDWI response dated July 27, 2022, Re: Response to Technical Comments 3, SPS Waste ECA Amendment, MECP Reference No. 5743-C9YQZ2, RDWI Reference No. 2103439.

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

Conditions 1.1 and 3.27 is to ensure that the Site is designed, operated, monitored and maintained 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.

Conditions 1.2, 1.3, 1.7 and 1.12 are to clarify the legal rights and responsibilities of the Owner/Operator under this Approval.

Conditions 1.4, 1.5 and 1.6 are to clarify how to interpret this Approval in relation to the application and supporting documentation submitted by the Owner/Operator.

Condition 1.8 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 and OWRA.

Condition 1.9 is to ensure that correspondence related to this Approval is easily identified.

Condition 1.10 is to ensure that the Site is operated under the corporate name which appears on the application form submitted for this approval and to ensure that the Director is informed of any changes.

Condition 1.11 is to ensure that subsequent owners of the Site are informed of the terms and conditions of this Approval. This also applies to all supporting documentation listed in Schedule "A".

Condition 2.1 is to ensure that sufficient funds are available to the Ministry to clean up the Site in the event that the Owner/Operator is unable or unwilling to do so.

Condition 3.1 is to specify the hours of operation for the Site, in accordance with the Owner's application and supporting documentation.

Condition 3.2 is to ensure that emergency personnel and the public have the necessary contact information and the Site is secure when unattended to prevent vandalism or theft.

Conditions 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9 and 3.10 are to ensure that the types and quantities of waste received at the Site are in accordance with that approved under this Approval.

The reason for Condition 3.11 is to specify the mixing materials for the purpose of dewatering or solidifying the Liquid Soil.

Conditions 3.12 through 3.13 are included is to ensure that waste storage is done in a manner which does not result in a nuisance or a hazard to the health and safety of the environment or people.

Conditions 3.14 through 3.16 are is included to specify the sampling and testing requirements of the processed soils for reuse and off-site transfer in accordance with the EPA.

The reason for Conditions 3.17 through 3.20 and 3.22 is to ensure that waste is transferred to locations where it will not create an adverse effect.

The reason for Condition 2.21 is to ensure that processed solidified soils are non-hazardous.

Conditions 3.23 and 3.24 are included to ensure the operation of the Site does not result in a hazard or nuisance to the natural environment or any person.

Conditions 3.25 and 3.26 are included to ensure the surface water and stormwater from the Site is properly managed and does not pose an impact to the environment.

Condition 3.27 is included to ensure that preparation and construction within the Site proceeds in accordance with approved detailed design plans, technical specifications and QA/QC activities and procedures.

Conditions 4.1, 4.2, 4.3 and 4.4 are to ensure that the Site is inspected and maintained in an acceptable manner so that the operation of the Site does not result in a hazard or nuisance to the natural environment or any person.

Condition 5.1 is to ensure that the Owner/Operator forthwith notifies the Ministry of any spills, as required in Part X of the EPA, so that appropriate spills response can be determined.

Condition 5.2 is to ensure that the Owner/Operator immediately responds to a spill.

Condition 5.3 is to ensure that the Owner is prepared and properly equipped to take action in the event of a spill, fire or other operation upset.

Condition 5.4 is to ensure that the Owner/Operator follows a plan with an organized set of procedures when responding to unexpected but possible problems at the Site.

Condition 6.1 is to ensure that the Site is not operated except under direct supervision of the Competent employee.

Conditions 6.2 and 6.3 are to ensure that the Owner/Operator's staff are properly trained in the operation of the equipment used at the Site and in emergency response procedures.

Condition 7.1 is to ensure that complaints are properly and quickly resolved and that complaints and follow-up actions have been documented.

Condition 8.1 is to ensure the availability of records and drawings for inspection and information purposes.

Conditions 8.2 and 8.3 are to ensure that the site is operated in a manner consistent with the design and operation reports in order to prevent a nuisance or a hazard to the health and safety of the environment or people.

Condition 8.4 is to ensure that employees have ready access to documents necessary for the operation of equipment.

Conditions 8.5, 8.6, 8.7, and 8.8 are to ensure that accurate records are maintained to ensure compliance with the conditions in this Approval, the EPA and its Regulations.

The reason for Condition 8.9 is to demonstrate compliance with this Approval, the EPA and Regulation 347.

Conditions 9.1 and 9.2 are to ensure that the Site is closed in accordance with MECP standards and to protect the health and safety of the environment.

**Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s).
9581-BMSGYQ issued on October 16, 2020**

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

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 8th day of August, 2022



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

AQ/

c: District Manager, MECP Sarnia
Phil Janisse, RWDI