

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 9687-CL2Q9P

Issue Date: February 4, 2023

ReSoil Solutions Inc.  
14 Cedar Ave  
Markham, Ontario  
L3T 3V9

Site Location: 14 Cedar Avenue  
14 Cedar Ave  
Markham City, Regional Municipality of York

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

A waste processing site with a maximum capacity of 375 tonnes per day of non-hazardous Liquid Soils, consisting of the following:

- the receipt, temporary storage and transfer of non-hazardous Liquid Soil, dewatered liquid soil and process water.
- the processing of non-hazardous Liquid Soil, including screening using grates and shakers to remove rock and debris, the use of coagulants and polymers to assist in dewatering, the use of a tank and a centrifuge for dewatering, and bunkers and tanks for the storage of stockpiled dewatered soils and process water.

all in accordance with the Application for Approval (Air) submitted by ReSoil Solutions Inc., dated October 25, 2021 and signed by Philip Gaggi, Manager; and the supporting information, including the Emission Summary and Dispersion Modelling Report, submitted by EXP Services Inc., dated September 15, 2021 and signed by Ron Taylor.

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

1. "Approval" means this Environmental Compliance Approval, including the application and supporting documentation listed above;

2. "Best Management Practices Plan" means a document or a set of documents, prepared in accordance with Ministry Technical Bulletin: Management Approaches for Industrial Fugitive Dust Sources, which describe measures to minimize dust emissions from the Facility and/or Equipment;
3. "Company" means ReSoil Solutions Inc. that is responsible for the construction or operation of the Facility and includes any successors and assigns in accordance with section 19 of the EPA;
4. "Director" means a person appointed for the purpose of section 20.3 of the EPA by the Minister pursuant to section 5 of the EPA;
5. "District Manager" means the District Manager of the appropriate local district office of the Ministry, where the Facility is geographically located;
6. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19;
7. "Equipment" means the equipment described in the Company's application, this Approval and in the supporting documentation submitted with the application, to the extent approved by this Approval;
8. "Facility" means the entire operation located on the property where the Equipment is located;
9. "Liquid Soil" has the same meaning as in O. Reg. 406/19 and means a soil that has a slump of more than 150 millimetres using the Test Method for the Determination of "Liquid Waste" (slump test) set out in Schedule 9 to Regulation 347;
10. "Manual" means a document or a set of documents that provide written instructions to staff of the Company;
11. "Minister" means the Minister of the Environment, Conservation and Parks or such other member of the Executive Council as may be assigned the administration of the EPA under the Executive Council Act
12. "Ministry" means the ministry of the government of Ontario responsible for the EPA and includes all officials, employees or other persons acting on its behalf;
13. "Non-Hazardous Liquid Soils Verification Plan" means a comprehensive verification program, which the Company shall implement to ensure that contaminated Liquid Soils are not accepted or processed at the Facility;
14. "Publication NPC-300" means the Ministry Publication NPC-300, "Environmental Noise Guideline, Stationary and Transportation Sources – Approval and Planning, Publication NPC-300", August 2013, as amended;

15. "Technical Bulletin: Management Approaches for Industrial Fugitive Dust Sources" means the Ministry publication "Technical Bulletin: management approaches for industrial fugitive dust sources", March 8, 2017, as amended.

*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. OPERATION AND MAINTENANCE

1. The Company shall ensure that the Equipment is properly operated and maintained at all times. The Company shall:
  - a. prepare, before commencement of operation of the Equipment, and update, as necessary, a Manual outlining the operating procedures and a maintenance program for the Equipment, including:
    - i. routine operating and maintenance procedures in accordance with good engineering practices and as recommended by the Equipment suppliers;
    - ii. emergency procedures, including spill clean-up procedures;
    - iii. procedures for any record keeping activities relating to operation and maintenance of the Equipment; and
    - iv. all appropriate measures to minimize noise and odorous emissions from all potential sources.
  - b. implement the recommendations of the Manual.
2. The Company shall develop and implement a Non-Hazardous Liquid Soils Verification Plan to ensure that contaminated Liquid Soils are not accepted for processing at the Facility. The Company shall update the Non-Hazardous Liquid Soils Verification Plan as necessary or at the direction of the District Manager.
3. The Company shall ensure that no more than 500 cubic metres of dewatered soils is stored outside at any given time.

### 2. RECORD RETENTION

1. The Company shall retain, for a minimum of two (2) years from the date of their creation, all records and information related to or resulting from the recording activities required by this Approval, and make these records available for review by staff of the Ministry upon request. The Company shall retain:
  - a. all records on the maintenance, repair and inspection of the Equipment; and
  - b. all records of any environmental complaints, including:
    - i. a description, time and date of each incident to which the complaint relates;
    - ii. wind direction at the time of the incident to which the complaint relates; and
    - iii. a description of the measures taken to address the cause of the incident to which the complaint relates and to prevent a similar occurrence in the future.

### **3. NOTIFICATION OF COMPLAINTS**

1. The Company shall notify the District Manager, in writing, of each environmental complaint within two (2) business days of the complaint. The notification shall include:
  - a. a description of the nature of the complaint; and
  - b. the time and date of the incident to which the complaint relates.

### **4. FUGITIVE DUST CONTROL**

1. The Company shall implement the Best Management Practices Plan for the control of fugitive dust emissions resulting from the operation of the Facility. The Company shall update the Best Management Practices Plan as necessary or at the direction of the District Manager.

### **5. NOISE**

1. The Company shall, at all times, ensure that the noise emissions from the Facility comply with the limits set out in Ministry Publication NPC-300.

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

1. Conditions No. 1, and 4 are included to emphasize that the Equipment must be maintained and operated according to a procedure that will result in compliance with the EPA, the Regulations and this Approval.

2. Condition No. 2 is included to require the Company to keep records and to provide information to staff of the Ministry so that compliance with the EPA, the Regulations and this Approval can be verified.
3. Condition No. 3 is included to require the Company to notify staff of the Ministry so as to assist the Ministry with the review of the site's compliance.
4. Condition No. 5 is included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the Facility.

In accordance with Section 139 of the *Environmental Protection Act*, you may by written notice served upon me, the Ontario Land Tribunal and in accordance with Section 47 of the *Environmental Bill of Rights, 1993*, the Minister of the Environment, Conservation and Parks, within 15 days after receipt of this notice, require a hearing by the Tribunal. The Minister of the Environment, Conservation and Parks will place notice of your appeal on the Environmental Registry. Section 142 of the *Environmental Protection Act* provides that the notice requiring the hearing ("the Notice") shall state:

- a. The portions of the environmental compliance approval or each term or condition in the environmental compliance approval in respect of which the hearing is required, and;
- b. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The Notice should also include:

1. The name of the appellant;
2. The address of the appellant;
3. The environmental compliance approval number;
4. The date of the environmental compliance approval;
5. The name of the Director, and;
6. The municipality or municipalities within which the project is to be engaged in.

And the Notice should be signed and dated by the appellant.

This Notice must be served upon:

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

and

The Minister of the Environment,  
Conservation and Parks  
777 Bay Street, 5th Floor  
Toronto, Ontario  
M7A 2J3

and

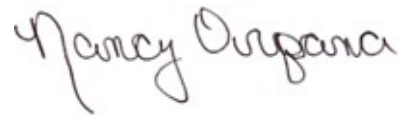
The Director appointed for the purposes of  
Part II.1 of the *Environmental Protection Act*  
Ministry of the Environment,  
Conservation and Parks  
135 St. Clair Avenue West, 1st Floor  
Toronto, Ontario  
M4V 1P5

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

This instrument is subject to Section 38 of the *Environmental Bill of Rights, 1993*, that allows residents of Ontario to seek leave to appeal the decision on this instrument. Residents of Ontario may seek leave to appeal within 15 days from the date this decision is placed on the Environmental Registry. By accessing the Environmental Registry at <https://ero.ontario.ca/>, you can determine when the leave to appeal period ends.

The above noted activity is approved under s.20.3 of Part II.1 of the *Environmental Protection Act*.

DATED AT TORONTO this 4th day of February, 2023



---

Nancy E Orpana, P.Eng.

Director

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

SM/

c: District Manager, MECP York-Durham  
Ron Taylor, exp Services Inc.