

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER A-500-2188195417

Version: 1.0

Issue Date: June 6, 2023

*Pursuant to section 20.3 of the Environmental Protection Act, Revised Statutes of Ontario (R.S.O.) 1990, c. E. 19 and subject to all other applicable Acts or regulations this Environmental Compliance Approval is issued to:*

2374868 ONTARIO INC.

6678 WELLINGTON RD 34 ROAD  
CAMBRIDGE ONTARIO  
N3C 2V4

*For the following site:*

75 Udine Avenue (AVE) , Welland, WELLAND, ONTARIO, CANADA, L3B 2K4

*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 100 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 using a roto-screen powered by a diesel engine with a 68 horsepower maximum power output rating;
- stockpiling of processed material.

all in accordance with the Application for Approval (Air & Noise) submitted by 2374868 ONTARIO INC., dated August 9, 2022 and signed by Eric Nafziger, Site Manager; the supporting information, including the Emission Summary and Dispersion Modelling Report, submitted by GHD, dated August 2, 2022 and signed by Erik Martinez; the Acoustic Assessment Report submitted by GHD, dated August 2, 2022 and signed by Ben Wiseman; and, all other documentation associated with the Application.

## **DEFINITIONS**

*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 which describe measures to minimize dust emissions from the Facility and/or Equipment;
3. "Company" means 2374868 ONTARIO 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. "District Manager" means the District Manager of the appropriate local district office of the Ministry, where the Facility is geographically located;

5. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19;
6. "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;
7. "Facility" means the entire operation located on the property where the Equipment is located;
8. "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;
9. "Manual" means a document or a set of documents that provide written instructions to staff of the Company;
10. "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;
11. "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;
12. "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.
13. "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;

## TERMS AND CONDITIONS

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

### 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.

### 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. NOISE**

1. The Company shall construct, within 2 years of the date of issuance of this Approval, a berm located along the eastern, southern, and western property boundaries, having a height of 3 metres and base width of 5 metres.
2. The Company shall restrict the operations of the screening operations (i.e., S02A screening equipment and S02B screening motor, as outlined in the Acoustic Assessment Report) to the hours of 7 AM to 7 PM (i.e., daytime hours as defined in Ministry Publication NPC-300).
3. 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.

### **5. FUGITIVE DUST CONTROL**

1. The Company shall develop a Best Management Practices Plan for the control of fugitive dust emissions. This Best Management Practices Plan shall, at minimum, be prepared in accordance with Ministry Technical Bulletin: Management Approaches for Industrial Fugitive Dust Sources.
2. The Company shall immediately implement the Best Management Practices Plan for the control of fugitive dust emissions to provide effective dust suppression measures to any potential sources of fugitive dust emissions resulting from the operation of the Facility.
3. The Company shall update the Best Management Practices Plan as necessary or at the direction of the District Manager.

## **REASONS**

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

1. Conditions No. 1 and No. 5 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. 4 is included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the Facility.

# APPEAL PROVISIONS

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In accordance with Section 139 of the *Environmental Protection Act*, you may by written notice served upon me and the Ontario Land Tribunal, within 15 days after the service of this notice, require a hearing by the Tribunal. You must also provide notice to, the Minister of the Environment, Conservation and Parks in accordance with Section 47 of the *Environmental Bill of Rights, 1993* who 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:

- I. 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;
- II. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The Notice should also include:

- I. The name of the appellant;
- II. The address of the appellant;
- III. The environmental compliance approval number;
- IV. The date of the environmental compliance approval;
- V. The name of the Director, and;
- VI. 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:

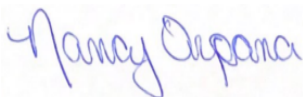
Registrar* Ontario Land Tribunal 655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5 <a href="mailto:OLT.Registrar@ontario.ca">OLT.Registrar@ontario.ca</a>	and	The Minister of the Environment, Conservation and Parks 777 Bay Street, 5th Floor Toronto, Ontario M7A 2J3	and	The Director appointed for the purposes of Part II.1 of the <i>Environmental Protection Act</i> Ministry of the Environment, Conservation and Parks 135 St. Clair Avenue West, 1st Floor Toronto, Ontario M4V 1P5
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**\* 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 [ero.ontario.ca](http://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 6th day of June, 2023



Nancy Orpana

Director

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

c: Eric Nafziger, 2374868 ONTARIO INC.

Ben Wiseman, GHD

Erik Martinez, GHD Limited