Director's Order

Director's Order Number

1-228916698

Director's Order Issued To

GEPR ENERGY CANADA INC.
1919 MINNESOTA CRT SUITE 100, MISSISSAUGA, ON, L5N 0C9

Site

General Electric
107 PARK ST N, PETERBOROUGH, ON, K9J 3V6

Refer to the Definitions section in Part B of this Director's Order, for the meaning of all the capitalized terms that are used in this Director's Order.

PART A - WORK ORDERED

This work is ordered pursuant to my authority under **EPA | 132 | (1), EPA | 18 | (1), EPA | 197 | (1)**, I order you to do the following:

Item No. 1

Within fifteen days of service of this Order, submit written confirmation to the Director by email to david.bradley@ontario.ca and environment.peterborough@ontario.ca that the Qualified Consultant that was retained to comply with the requirements of Director's Order GE-PTBO DO001FA continues to be retained to conduct the work required by this Order. The written confirmation shall include confirmation from the Qualified Consultant that they have, (1) received a copy of this Order; (2) been retained to carry out the work; and (3) the experience and qualifications to carry out such work.

Item No. 2

Within thirty days of service of this Order, arrange for the Qualified Consultant retained as a result of Item No. 1 to commence the activities and tasks associated with Contaminants of Concern at the Site as detailed in Appendices A and B, and arrange for the Qualified Consultant to continue to undertake the activities and tasks identified in Appendices A and B in accordance with the timelines set out in the appendices until the Director revokes or amends this Order.

Item No. 3

Within thirty days of service of this Order, submit to the Director by email to david.bradley@ontario.ca and environment.peterborough@ontario.ca for acceptance, a Financial Assurance evaluation in accordance with the Ministry's Financial Assurance Guideline F-15, which shall specify the amount of Financial Assurance to be provided to the Ministry to provide sufficient funds to implement and complete the ongoing work required by Item No. 2 of this Order and detailed in Appendices A and B. The Financial Assurance evaluation shall include written analyses, detailed and itemized calculations, and, if necessary, accounting documents to provide a justification of the proposed amount.

Item No. 4

Within sixty days of receipt of the Director's acceptance of the Financial Assurance evaluation submitted pursuant to Item No. 3 of this Order, submit to the Director in accordance with the instructions set out in the acceptance, payment of the accepted amount of Financial Assurance.

Item No. 5

Commencing on October 31, 2027, and every four years thereafter until the Initial Financial Assurance submitted as a result of Item No. 4 has been returned, submit to the Director a re-evaluation of the amount of Initial Financial Assurance (Re-evaluated Financial Assurance). The re-evaluation shall be done in accordance with the Ministry's Financial Assurance Guideline F- 15, and shall include written analyses, detailed and itemized calculations, and, if necessary, accounting documents to provide a justification of the proposed amounts.

Item No. 6

Within twenty-one days of receipt of the Director's acceptance of the Re-evaluated Financial Assurance evaluation submitted pursuant to Item No. 5 of this Order, submit to the Director in accordance with the instructions set out in the acceptance payment of the accepted amount of Re-evaluated Financial Assurance.

Item No. 7

Upon service of this Order, GEPR Energy Canada Inc. and any other person with an interest in the Site shall, before dealing with the Site in any way, give a copy of this Order, including any amendments thereto, to every person who will acquire an interest in the Site as a result of the dealing.

Item No. 8

Within fifteen days of receipt of an acknowledgment and direction form signed by the Director enclosing a certificate of withdrawal, register the certificate of withdrawal issued under s. 197 of the EPA on title to Site 1, Site 2, Site 3 and Site 4, in the appropriate land registry office.

Item No. 9

Within fifteen days of receipt of an acknowledgment and direction form signed by the Director enclosing a certificate of requirement, register the certificate of requirement issued under s. 197 of the EPA on title to Site 1 and Site 2 in the appropriate land registry office.

Item No. 10

Within five days of registration of each of the Certificates of Withdrawal and Requirement as required by Items No. 8 and 9, provide written verification to the Director that the Certificates of Withdrawal and Requirement have been registered on title to each of Site 1, and Site 2, and that the Certificates of Withdrawal have been registered on title for each of Site 1, Site 2, Site 3 and Site 4, respectively.

PART B - BACKGROUND AND REASONS

This Director's Order is being issued for the reasons set out below.

Definitions

For the purposes of this Director's Order, the following capitalized terms shall have the meanings set out below:

"CGECL" means Canadian General Electric Canada Limited (Ontario Corporation Number 000001701), a predecessor corporation of General Electric Canada Company (Ontario Corporation Number 001796028), a previous owner of the Site.

"Contaminants of Concern" includes but is not necessarily limited to the following compounds and any associated degradation compounds:
i) polychlorinated biphenyls (PCBs)
ii) trichloroethylene (TCE)
iii) dichloroethylene (DCE)
iv) vinyl chloride (VC).

"Director" means the undersigned or any other person appointed for purposes of s. 18, 132, and 197 of the EPA.

"Director's Order GE-PTBO-DO001FA" means the Director's Order that was issued on December 10, 2018, under the EPA, to General Electric Canada Company and General Electric Canada Property Inc.

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

"Financial Assurance" or "FA" has the same meaning as in section 131 of the EPA,

"GECC" means General Electric Canada Company, the successor company to Canadian General Electric Corporation Limited (Ontario Corporation Number 000001701) and, General Electric Canada Inc. (Ontario Corporation Numbers 000576365 and 000875925).

"GECPI" means General Electric Canada Property Inc., the previous owner of the Site.

"GEPR" means GEPR Energy Canada Inc., the current owner of the Site.

"Ministry" or "MECP" means the Ontario Ministry of the Environment, Conservation and Parks.

"PCBs" means polychlorinated biphenyls.

"PWQO" means Ontario's Provincial Water Quality Objectives.

"Qualified Consultant" means a person who has obtained the appropriate education and training and has demonstrated experience and expertise in the areas relating to the work required to be carried out by this Order. For the purposes of this Order, the person shall also meet the qualifications set out in Section 5 of O. Reg. 153/04, made under the EPA.

"Site" means the two properties located within the city of Peterborough, Ontario consisting of Site 1 and Site 2, as defined below.

"Site 1" means the property with two municipal addresses of 107 Park Street and 1160 Monaghan Road, Peterborough, ON with the following Property Identifier Number 28081-0123.

"Site 2" means the property with two municipal addresses of 1063 and 1091 Monaghan Road, Peterborough, ON with the following Property Identifier Number 28067-0046.

"Site 3" means the property located at 297 Rink Street, Peterborough, ON with the following Property Identifier Number 28091-0139, which was subject to the previous Director's Order GE-PTBO-DO001FA but is not subject to this Order.

"Site 4" means the property located at 107 Rubidge Street, Peterborough, ON with the following Property Identifier Number 28091-0137, which was subject to the previous Director's Order GE-PTBO-DO001FA but is not subject to this Order.

"TCE" means trichloroethylene.

"VOCs" means volatile organic compounds.

Description of Person(s) Subject to the Director's Order

GEPR Energy Canada Inc. is a federally incorporated company, corporation number 1394805-6, incorporated on April 12, 2022. GEPR is a successor to the previous owner the Site, along with Site 3 and Site 4, whereby ownership of the four properties were transferred to GEPR on January 3, 2023, from General Electric Canada Property Inc. which owned of the four properties since 2004. GEPR was created as part of the corporate restructuring process of General Electric (parent company of General Electric Canada Company (GECC)) to subdivide the company into three separate corporations which commenced at the beginning of 2023 with spinoff of GE's Health Care business (GE Healthcare).

The separation of the two remaining businesses (GE Aerospace and GE Vernova) is still underway and planned to be completed during 2024. GEPR is a subordinate company within GE Vernova which designs and manufactures various types of energy production and management systems. As part of the restructuring, GEPR has assumed the responsibilities for the Site, including any off-site impacts, that GECC and CECPI are or were responsible for under the EPA.

GECC is the successor corporation to various former corporate entities which previously owned

and had management and control of the four properties (Site 1, 2, 3 and 4) for decades. More specifically, GECC and its predecessor corporations owned and had management and control of all or significant portions of the four properties as follows: Site 1 since in or around 1893; Site 2 since in or around 1947; Site 3 since in or around 1910/11; and since in or around 1928 for at least a portion of Site 4 and since 1980 in terms of Site 4 in its entirety.

Description of the Site and/or System/Facility

The Site is located within the City of Peterborough where there are various land uses in the surrounding areas, including predominantly residential, as well as some commercial and industrial uses, and a school (Prince of Wales Public School).

The Site that is the subject of this Order consists of two separate properties defined as Site 1 and Site 2. The previous Director's Order GE-PTBO-DO001FA was issued with respect to four properties which included two additional properties, Site 3 and Site 4. On March 16, 2023, GEPR requested that Site 3 and Site 4 be removed from this Director's Order. Those two properties were included in the previous order as there are monitoring wells located on them that are part of the Site monitoring program. However, the monitoring wells are being replaced with new monitoring wells to be located on adjacent off-property locations by GEPR, which is acceptable to the Ministry, and therefore it is appropriate to remove them as reflected in this Order.

Site 1 was used for manufacturing purposes between 1891 and 2018. In or around 1891, a large manufacturing plant was constructed at Site 1 consisting of three buildings with a total manufacturing area of 74,000 square feet. Industrial manufacturing of dynamos, motors for stationary power and electrical railway purposes, mining locomotives, underground conductors, electrical instruments, appliances, electric cables and insulated wire took place in the early years of manufacturing at the Site. Over the years, manufacturing continued and changed. During the First World War, manufacturing shifted to the production of artillery, shells and guns. In or around 1946, separate buildings were developed for the fractional motors and porcelain departments. Industrial manufacturing in the form of large electrical motors and other components continued at Site 1 until the manufacturing activities were ceased by GECC in late 2018. Some buildings at Site 1 continue to be used for office space by a limited number of GEPR employees.

Site 2 consists largely of undeveloped land, however, there are several parking lot areas on the eastern portion of the property, along Monaghan Road, that are used by employees of GEPR and a formerly associated business. Some activities related to the industrial manufacturing businesses at Site 1 may have occurred on Site 2 over time, based on the presence of contaminants there, including PCBs. Site 2 has one building that is located near its southeastern corner (at the corner of Frank Street and Monaghan Road) and one building located in the northwestern corner along High Street.

Site 3 (297 Rink Street) and Site 4 (107 Rubidge Street) are small vacant properties located immediately east of Site 1 that are currently used as parking areas. A railway line passes along the southeastern side of Site 3 where a former rail spur, that served the GECC plant facility on Site 1, splits off and passes through the northern part of Site 4, along its route to the plant

facility. Groundwater monitoring wells were located on Sites 3 and 4 that were sampled as part of GECC's Site monitoring program in relation to the TCE contamination issue. These monitoring wells are in the process of being replaced by new wells to be established on adjacent off-property locations, which is acceptable to the Ministry.

Through various industrial and related activities that occurred over time at the Site, contamination of soil and groundwater resulted, including PCBs and TCE. PCBs and TCE (along with associated degradation compounds, such as dichloroethylene and vinyl chloride) are the primary Contaminants of Concern at the Site.

PCBs were once widely deployed in the industrial sector within dielectric and coolant fluids in electrical apparatus and in heat transfer fluids.

TCE has typically been used in the industrial sector as a solvent for degreasing metal materials and parts during the manufacture of products.

Both Sites 1 and 2 are the subject of ongoing environmental monitoring/sampling, assessment and remedial/mitigative activities undertaken by GEPR to manage these contamination issues and to mitigate contaminant discharges and potential adverse effects. These environmental monitoring/sampling, assessment and remedial/mitigative activities have been ongoing since at least
the 1980's.

The two sites are serviced with storm water sewers (Site 1 extensively, and Site 2 to a limited extent on-site, but with surface water runoff directed to surrounding municipal storm water sewer lines) that connect to the municipal storm water sewer system in the surrounding areas which is owned by the City of Peterborough. The municipal storm water sewer system in the immediate vicinity of the Site drains eastwardly along Rink Street into Little Lake which is situated on the Otonabee River within the city.

Little Lake and the Otonabee River system are the subject of ongoing environmental monitoring and assessments in regard to accumulated sediment that contains PCBs (and other contaminants, such as polycyclic aromatic hydrocarbons and metals) and associated environmental impacts by the Ontario Ministry of the Environment, Conservation and Parks, and by Parks Canada Agency, an agency of the federal Crown which owns the water lot section of the Otonabee River and Little Lake that is part of the Trent-Severn Waterway.

Reasons for the Director's Order

This Order revokes and replaces Director's Order GE-PTBO-DO001FA that was issued on December 10, 2018, for the purpose of updating various information and requirements, and replaces Director's Instructions issued by the ministry on June 21, 1995. It also addresses the in-situ management of PCB impacted soils that have previously been managed in accordance with Director's Instructions issued under Regulation 362 under the EPA. More specific details are provided below.

Environmental Concerns associated with the Site Contamination

The two primary contaminants of concern for the purposes of this Order are PCBs and TCE, as described in the following sections.

a) Polychlorinated Biphenyls (PCBs)

The main concern regarding potential off-Site environmental impacts associated with the PCB contamination at the Site is for PCB molecules to be transported off-site via water discharges into the municipal storm water sewer system which flows eastward along Rink Street and discharges into Little Lake and the Otonabee River.

Little Lake and the Otonabee River also subject to recreational water activities, and exposure to PCB contaminated waters and sediment may represent a human health risk. PCBs also transfer up the ecological food chain to other aquatic, terrestrial and avian species within which the contaminants may bioaccumulate and result in ecological impacts. As such, further inputs of PCBs to Little Lake and the Otonabee River system should be mitigated.

Various studies have shown that deposits of PCB contaminated sediments are present in Little Lake and further downstream along the Otonabee River and in Rice Lake, which the Otonabee flows into, located approximately 20 kilometres south of the City of Peterborough. Studies have shown that PCBs are present within the tissues of sport fish collected from the Otonabee River and Rice Lake at concentrations that have caused fish consumption advisories to be issued and which should be followed for the protection of human health; refer to the MECP's online 'Guide to Eating Ontario Fish'. The Hiawatha First Nation community is located on the north shore of Rice Lake and community members, as well as other sport fishers, consume fish from the lake.

Since the City of Peterborough, including the Site and its vicinity, is serviced with municipal water supply obtained from the Otonabee River some distance upstream of the Site and Little Lake, potential human health impacts associated with PCB groundwater contamination at the Site are unlikely.

GEPR undertakes an annual PCB monitoring and mitigation program for surface water and sediments in storm water sewers, and for groundwater, as part of its management of the PCB contamination issues at the Site. The PCB monitoring program and findings are described in more detail in sections below.

b) Trichloroethylene (TCE)

TCE is a chlorinated volatile organic compound. As a subsurface soil and groundwater contaminant (as is the case for the Site), the chemical may volatilize (become gaseous) into the subsurface soil vapour zone with the potential to infiltrate into the airspaces of buildings, including houses. TCE can then cause human health impacts to residents who may inhale the vapours, given sufficient concentration and time exposure. TCE may also degrade within the subsurface environment to form other volatile organic compounds, such as dichloroethylene

and vinyl chloride, which have similar properties and environmental concerns.

Since the City of Peterborough and local area is serviced with municipal water supply, consumption of impacted groundwater is not likely to occur, and since the contamination is within the subsurface environment, it should not represent a public health risk via direct contact with, or ingestion of, impacted soil or groundwater; however, the volatilization of these VOCs in the soil may pose a risk to indoor air of buildings located in the area of the off-site TCE plume.

History and Background

a) PCB Monitoring Program History

GECC submitted a report entitled "Storm Sewer Monitoring Program, 2012 Annual Report (Conestoga-Rovers & Associates, April 2013)" which provides the following background description regarding the operational history and PCB occurrence for Site 1 and Site 2 (the two properties subject to this Order):

"The Site was originally developed for manufacturing operations in the late 1880s. Historical and/or current operations conducted at the Site include capacitor manufacturing, large motor manufacturing, small AC motor manufacturing, and AC traction motor manufacturing. PCBs were historically used in the manufacturing of capacitors. Wastes oils, some containing PCBs, were also used as a dust suppressant at the Site and Monaghan Road Parking Lot. Monitoring of the PCB impacts on storm water, sediment, and groundwater has been conducted since 1992…"
Note: the reference to 'Site' in the above excerpt is regarding Site 1, and the reference to the Monaghan Road Parking Lot is regarding part of Site 2.

These historical activities at Site 1 and Site 2 resulted in PCB contamination of soils and other surfaces. PCB soil contamination was identified in the southern parking lot area of Site 2, which has been managed 'in-place' by GECC/GEPR since the mid-1990s through Director's Instructions issued by the ministry on June 21, 1995 (which revised previous Director's Instructions, dated November 2, 1993).

The Director's Instructions provided for the establishment and operation of an interim PCB Waste Management site by ensuring a protective cap layer is maintained over the impacted soils, along with a requirement to implement a groundwater and surface water monitoring program.

In 2011, an expanded annual PCB Site monitoring program (in addition to that required by the Director's Instructions, noted above) was implemented which, included the collection of water and sediment samples (in the spring, summer and fall seasons) from storm sewers outfalls from Site 1. The outline of the program, including the Site evaluation criteria for surface water and sediment discharges, was set out in a document prepared by the Ministry, entitled 'Storm Sewer Monitoring Program for PCBs, General Electric Canada - Peterborough, February 2, 2011'.

A work plan was submitted to the Ministry in May 2012, which consolidated the annual PCB monitoring and reporting activities for the Site. Since 2012, GECC/GEPR has undertaken an annual maintenance and monitoring program, including the clean-out of PCB-impacted sediments from their storm sewers in response to instances of elevated PCB sampling results, as well as various activities to investigate and mitigate sources of PCBs, including soil sampling and the implementation of Best Management Practices (e.g., the cleaning of exterior surfaces such as paved areas). These annual site monitoring and management activities are detailed in an annual report submitted to the Ministry each year.

b) In-Situ Management of PCB-Impacted Soils at the Monaghan Road Parking Lot

As noted above, the regulatory authority and requirements that provide for the PCB-contaminated soils at the Monaghan Road Parking Lot soils, located on Site 2, to be managed 'in-situ' through the implementation of appropriate risk management measures, is being transferred from the previous Director's Instructions (1995) to this Order.

The PCB-contaminated soils are being managed through the use of an asphalt cap (barrier) to prevent the erosion and migration of PCB contaminants in surface water runoff. PCB molecules are considered to have a relatively low mobility within the subsurface groundwater system due to their nature to bind to soil particles.

The inspection and maintenance details of the risk management measures required of GEPR for the management of the PCB-impacted soils at the Monaghan Road Parking Lot are set out in Appendix A.

GEPR undertakes a surface water, sediment and groundwater monitoring program with respect to the management of the PCB-impacted soils at the Monaghan Road Parking Lot to ensure the risk management measures are effective in preventing the mobilization of PCBs and their exposure to the natural environment and human receptors. The details of the monitoring and management program component for this area are contained in Appendix B.

c) TCE Monitoring Program and Groundwater Extraction and Treatment System

Environmental investigations of the Site by GECC began in 1981, with the installation of groundwater wells and implementation of a monitoring and sampling program. Subsequent investigations resulted in the characterization of the subsurface hydrology and delineation of an area impacted by VOCs, where TCE and its degradation products were the primary concern.

In 2001, a remedial action plan was approved by the Ministry, which included:
i) the implementation of a groundwater extraction and treatment system to hydraulically contain and mitigate the off-site migration of the VOC plume;
ii) the investigation and assessment of the TCE source, including removal of free product; and
iii) the completion of a site-specific risk assessment and the ongoing assessment of monitored natural attenuation of off-site TCE groundwater impacts.

The site-specific risk assessment was accepted by the Ministry in September 2002, which provided site-specific groundwater criteria for existing on-site and off-site VOC impacts.

The groundwater extraction and treatment system (GETS) was activated in October 2004. Since then, annual summary reports detailing the geologic and hydrogeologic conditions, and the performance of the GETS and monitoring activities, have been completed and submitted to the Ministry by GECC.

In addition to groundwater monitoring and sampling, GECC/GEPR has undertaken soil vapour sampling in the area of the off-site TCE plume beginning in 2000 and submits annual Soil Vapour Monitoring reports to the ministry.

GEPR is currently in the process of replacing and updating the GETS during 2023.

d) Current Status of Site Operations and Monitoring Requirements

In late August 2017, GECC announced that it would be ceasing its industrial manufacturing activities at its Peterborough plant located at the Site in the fall of 2018.

Ongoing monitoring and remediation programs of the Contaminants of Concern have been undertaken on a voluntary basis by GECC. Financial Assurance was previously required by Director's Order GE-PTBO-DO001FA that was issued on December 10, 2018, for any of the ongoing environmental programs or activities that were the subject of that Order, and the corresponding Financial Assurance continues to be in place, subject to the issuance of this Order.

In regard to the PCB storm water sewers (water and sediment) and groundwater monitoring programs, MECP Eastern Region Technical Support Section reviews annual monitoring reports and provides comments that are reviewed with GEPR to guide further monitoring activities and site management actions. The reviews to date have recommended continuation of the ongoing monitoring program.

Considering the long-term and wide-spread nature of the PCB contamination at the Site, and the ongoing instances of PCB contaminant concentrations in storm water discharges from the Site, it is expected that the PCB monitoring program will continue to be required of GEPR for many years to monitor the effectiveness of its actions to control, prevent and mitigate PCB discharges from the Site to the natural environment.

Similarly, the ministry's Eastern Region Technical Support Section reviews the annual GETS monitoring reports and recommends the continued operation of the GETS and continuation of the ongoing groundwater and soil vapour TCE monitoring programs.

The specifications of the PCB and TCE monitoring and remedial programs described above are summarized in the GEPET_60698930T_4011_03_002_02 - Monitoring Program Summary (20230726) - [10 pages, dated 2023/07/26] that is attached as Appendix B and forms part of this Order.

Authority to Issue the Director's Order

I am issuing this Director's Order under my authority as a Director under the following legislation, which also includes the authority to take intermediate action and/or procedural steps:

I am issuing this Director's Order under my authority as a Director under the following legislation, which also includes the authority to take intermediate action and/or procedural steps:

Sections 18, 132 and 197 of the EPA.

Based on the foregoing, I am of the opinion that GEPR is the current owner of the Site and is the successor to the prior corporate owners of the Site who were previously in management or control of the Site and/or of activities undertaken on the Site that is contaminated with Contaminants of Concern.

Based on the foregoing, I am of the opinion that it is reasonable to believe that the Site is currently contaminated and has been contaminated for some time.

The Site is a source of the Contaminants of Concern which have migrated off the Site and onto adjacent properties.

If the TCE groundwater remediation and containment program and other monitoring and mitigation programs described in Appendices A and B and as they may be amended or revised from time to time do not continue, groundwater and/or surface water contaminated with the Contaminants of Concern may continue to migrate off the Site and onto adjacent properties where adverse effects may occur or have already occurred.

I reasonably believe that the requirements of this Order are necessary and advisable to prevent or reduce the risk of a discharge of groundwater and/or surface water impacted with the Contaminants of Concern into the natural environment from the Site and to prevent, decrease or eliminate any adverse effects that may result from such a discharge or from the presence or discharge of the Contaminants of Concern in, on or under the Site related to soil vapour, groundwater and surface water impacts.

I am of the opinion that it is reasonable and appropriate, and consistent with my authority under section 132 of the EPA and the Ministry's Financial Assurance Guideline F-15, specifically sections 4.4 and 4.4.5 of that Guideline, that Financial Assurance be provided by the GEPR so that funds are available for the MECP, in the event that the GEPR is unable or becomes unable or unwilling to provide ongoing care, monitoring and control of contamination issues related to the Site.

Director's Order GE-PTBO-DO001FA that was issued on December 10, 2018 is hereby revoked.

Attachments

The attachments listed below, if any, form part of this Director's Order:

Appendix A: Requirements for the In-situ Management of PCB-Impacted Soils at the Monaghan Road Parking Lot on Site 2

Appendix B: GEPET_60698930T_4011_03_002_02 - Monitoring Program Summary (20230726)

ISSUING DIRECTOR

Name: David Bradley

Job Title: District Manager

Badge Number:

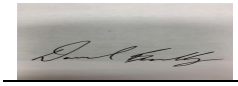
Address: 300 WATER ST 2ND FLR, PETERBOROUGH, ON, K9J 3C7

Director Email: david.bradley@ontario.ca

Office Email: Environment.Peterborough@ontario.ca

Date: Mar 6, 2024

Signature:



APPEAL TO THE ONTARIO LAND TRIBUNAL INFORMATION

REQUEST FOR HEARING

You may require a hearing before the Ontario Land Tribunal if, within 15 days of service of this Director's Order, you serve written notice of your appeal on the Ontario Land Tribunal and the Director as indicated in the Contact Information below. Your notice of appeal must state the portions of this Director's Order for which a hearing is required and the grounds on which you intend to rely at the hearing. Unless you receive leave (permission) from the Ontario Land Tribunal, you are not entitled to appeal a portion of this Director's Order or to rely on grounds of appeal that are not stated in the notice of appeal.

CONTACT INFORMATION

The contact information for the Director and the Ontario Land Tribunal is the following:

Registrar
Ontario Land Tribunal
655 BAY STREET, SUITE 1500
TORONTO, ON M5G 1E5
Email: OLT.Registrar@ontario.ca

and

Director
Ministry of the Environment, Conservation and Parks
Peterborough District Office
300 WATER ST, 2ND FLR
PETERBOROUGH, ON K9J 3C7
Office Email: Environment.Peterborough@ontario.ca
Fax: (705) 755-4321

The contact information of the Ontario Land Tribunal and further information regarding its appeal requirements can be obtained directly from the Tribunal at:

Tel: (416) 212-6349, Toll Free: 1(866) 448-2248 or www.olt.gov.on.ca

SERVICE INFORMATION

Service of the documentation referred to above can be made personally, by mail, by fax (in the case of the Director only), by commercial courier or by email in accordance with the legislation under which this Director's Order is made and any corresponding Service Regulation.

ADDITIONAL INFORMATION

Unless stayed by the Director or the Ontario Land Tribunal, this Director's Order is effective from the date of service.

Failure to comply with a requirement of this Director's Order constitutes an offence. Unless otherwise indicated, the obligation to comply with a requirement of this Director's Order continues on each day after the specified compliance date until the obligation has been satisfied.

The requirements of this Director's Order are minimum requirements only and do not mean that you are not required to comply with any other applicable legal requirements, including any:

- statute, regulation, or by-law;
- federal, provincial, or municipal law; or
- applicable requirements that are not addressed in this Director's Order.

The requirements of this Director's Order are severable. If any requirement of this Director's Order, or the application of any requirement to any circumstance, is held invalid, such finding does not invalidate or render unenforceable the requirement in other circumstances. It also does not invalidate or render unenforceable the other requirements of this Director's Order.

Further orders may be issued in accordance with the legislation as circumstances require.

This Director's Order is binding upon any successors or assignees of the persons to whom this Director's Order is issued.

The procedures to request a hearing and an appeal of this Director's Order and other information provided above are intended as a guide. The legislation should be consulted for additional details and accurate reference. Further information can be obtained from e-Laws at www.ontario.ca/laws.

Appendix A

Requirements for the In-situ Management of PCB-Impacted Soils at the Monaghan Road Parking Lot on Site 2

Appendix A

Requirements for the In-situ Management of PCB-impacted Soils at the Monaghan Road Parking Lot on Site 2

In conjunction with the Site monitoring program as outlined in Appendix B to this Order, GEPR shall implement the following inspection and maintenance actions for the management of the PCB-impacted soils at Site 2:

i. All locations within the defined area of PCB-impacted soils at Site 2, which were previously determined as containing soils with PCB concentrations greater than 5 micrograms per gram (ug/g), shall remain covered with a minimum of 5 centimetres of asphalt and the cover shall be maintained at all times. The currently defined area of the in-situ PCB-impacted soils at Site 2 that is subject to these requirements is outlined in Figure 1B of Appendix B.

ii. The defined area shall be inspected by authorized personnel on a monthly basis and written records will be maintained of these inspections, including inspection date and condition of the asphalt cover. The records shall be signed digitally by an authorized inspector and a copy maintained at the Site. Any problem identified that may impact the environmental integrity of the in-situ management of the PCB-impacted soils at Site 2 shall be reported to the Peterborough District Manager or designate forthwith.

iii. A summary of the inspections conducted, problems cited, and corrective actions taken shall be included in the annual report specified in Appendix B.

Appendix B

GEPET_60698930T_4011_03_002_02 – Monitoring Program Summary (20230726)

Groundwater Monitoring & Sampling Program

Groundwater monitoring wells shall be monitored and sampled one time per year in spring subject to well accessibility and condition, ***Table 1***.

Monitoring includes groundwater level measurements.

Groundwater shall be sampled for Total PCB or Select VOCs (1,1 DCE; trans- 1,2 DCE; cis- 1,2 DCE, TCE, VC) annually and for Monitored Natural Attenuation (MNA) parameters every five years.

The groundwater monitoring program shall be reviewed annually by the Qualified Person (QP) and any recommendations for change or amendments shall be submitted to the Ministry for review. Any recommendations accepted by the Ministry shall be implemented and shall form part of Appendix E as amended.

Monitoring results and recommendations shall be reported annually under the titles *PCB Monitoring Report for Storm Water and Groundwater* and *Groundwater Extraction and Treatment System Monitoring Report.*

Table 1 – Groundwater Monitoring and Sampling Program

Well ID	**PCB** *Facility*	**PCB** *Monaghan Rd*	**Select VOCs** *RAP/SSRA*	**MNA** *RAP/SSRA*
EW1			X	
EW2			X	
EW3			X	
EW4			X	
EW5			X	
EW6			X	
EW7			X	
MW05R			X	
MW11R2			X	X
MW25	X			
MW26	X			
MW28	X			
MW32			X	
MW33			X	
MW35		X		
MW37A		X		
MW38		X		
MW49			X	
MW50			X	
MW51			X	
MW52			X	
MW53			X	
MW58			X	
MW59R			X	X
MW60R			X	X
MW61			X	X
MW62			X	
MW63R			X	X
MW64			X	X
MW65			X	X
MW66			X	X
MW67			X	
MW68			X	X
MW71			X	X
MW73		X		
MW102		X		
MW103		X		
MW104		X		

Soil Vapour Monitoring Program

Soil vapour probes shall be sampled once per year in the summer subject to well accessibility and condition, ***Table 2***.

Waterloo Membrane Samplers (WMS) shall be used to collect soil gas samples.

Samples shall be analyzed for select VOCs (*1,1 DCE; trans- 1,2 DCE; cis- 1,2 DCE, TCE, VC*)

The soil vapour monitoring program shall be reviewed annually by the QP and any recommendations for change or amendments shall be submitted to the Ministry for review. Any recommendations accepted by the Ministry shall be implemented and shall form part of Appendix E as amended.

Monitoring results and recommendations shall be reported annually under the title *Soil Vapour Monitoring Report*.

Table 2 – Soil Vapour Monitoring and Sampling Program

Well ID	WMS
GP3-12	X
GP5-12	X
GP7-12	X
GP18-12	X
GP19-12	X
GP21-12	X

Storm Sewer Monitoring Program

Storm Sewer Outfalls including three City of Peterborough Storm Sewer manholes shall be monitored and sampled three times per year (except as noted below) during or immediately following a rain event (10mm) subject to outfall accessibility and condition, ***Table 3***.

Monitoring shall include a visual inspection of the CB / MH and measurement of sediment thickness.

Where present, sediment shall be sampled for Total PCB (including Aroclors) and TOC.

Where present, stormwater shall be sampled for Total PCB (including Aroclors) and TSS.

The Monaghan Road Parking Lot shall be inspected by an authorized person on a monthly basis and written records will be maintained of these inspections, including inspection date and condition of the asphalt cover.

The storm sewer monitoring program shall be reviewed annually by the QP and any recommendations for change or amendments shall be submitted to the Ministry for review. Any recommendations accepted by the Ministry shall be implemented and shall form part of Appendix E as amended.

Monitoring results and recommendations shall be reported annually under the title *PCB Monitoring Report for Storm Water and Groundwater*.

Table 3 – Storm Sewer Monitoring and Sampling Program

MH/CB ID	Facility Outfalls	Monaghan Rd Outfalls	City of Peterborough	Little Lake
MHR1	X			
MHR35	X			
MHR41	X			
CBR35	X			
CBR73	X			
CBR82	X			
C.STM.MH	X			
CBR90	X			
CBR94	X			
CBR107	X			
CBR111	X			
CBR112	X			
CBMHR113	X			
CBMHR130		X		
CBR137		X		
CBR140 *		X		
CBR142 *		X		
MH135686			X	
MH135683			X	
MH136551			X	
MH166902			X	
MH135703 **			X	
LL-15				X

* *Catch basin not connected to City storm sewer system. These locations will be monitored but will not be considered representative of storm water outfall from Site.*

** *Location shall be monitored and sampled **six** times per year during or immediately following a rain event (10mm) subject to outfall accessibility and condition*

Groundwater Extraction and Treatment System

The Groundwater Extraction and Treatment System (GETS) operates in the southeast corner of the Site to provide hydraulic containment along a network of seven groundwater extraction wells, EW1 through EW7, located along the southern property boundary.

The GETS operates under the following permits:

i) Permit to Take Water (PTTW) No. 6551-BCWQSV, Ministry of the Environment, Conservation and Parks (MECP);
ii) Environmental Compliance Approval (ECA) 7896-9HDRYN, MOECC: for treatment of groundwater via air stripping; and,
iii) Slug Discharge Permit, City of Peterborough (City): for discharge of treated groundwater to the City's sanitary sewer.

In accordance with PTTW, daily water taking from all extraction wells are reported annually on a calendar year basis.

There is no specific monitoring required under the ECA. The ECA is part of a Site-wide ECA.

Operation of the PTTW (including any sampling) is subject to maintenance and repairs as required.

A consolidated summary of GETS operation and performance monitoring is reported annually under a report titled *Groundwater Extraction and Treatment System Monitoring Report*.

Annual Reporting Details

Each of the annual reports referred to in this document will be submitted to the Ministry by the end of February each year in the form of three paper copies and an electronic copy.

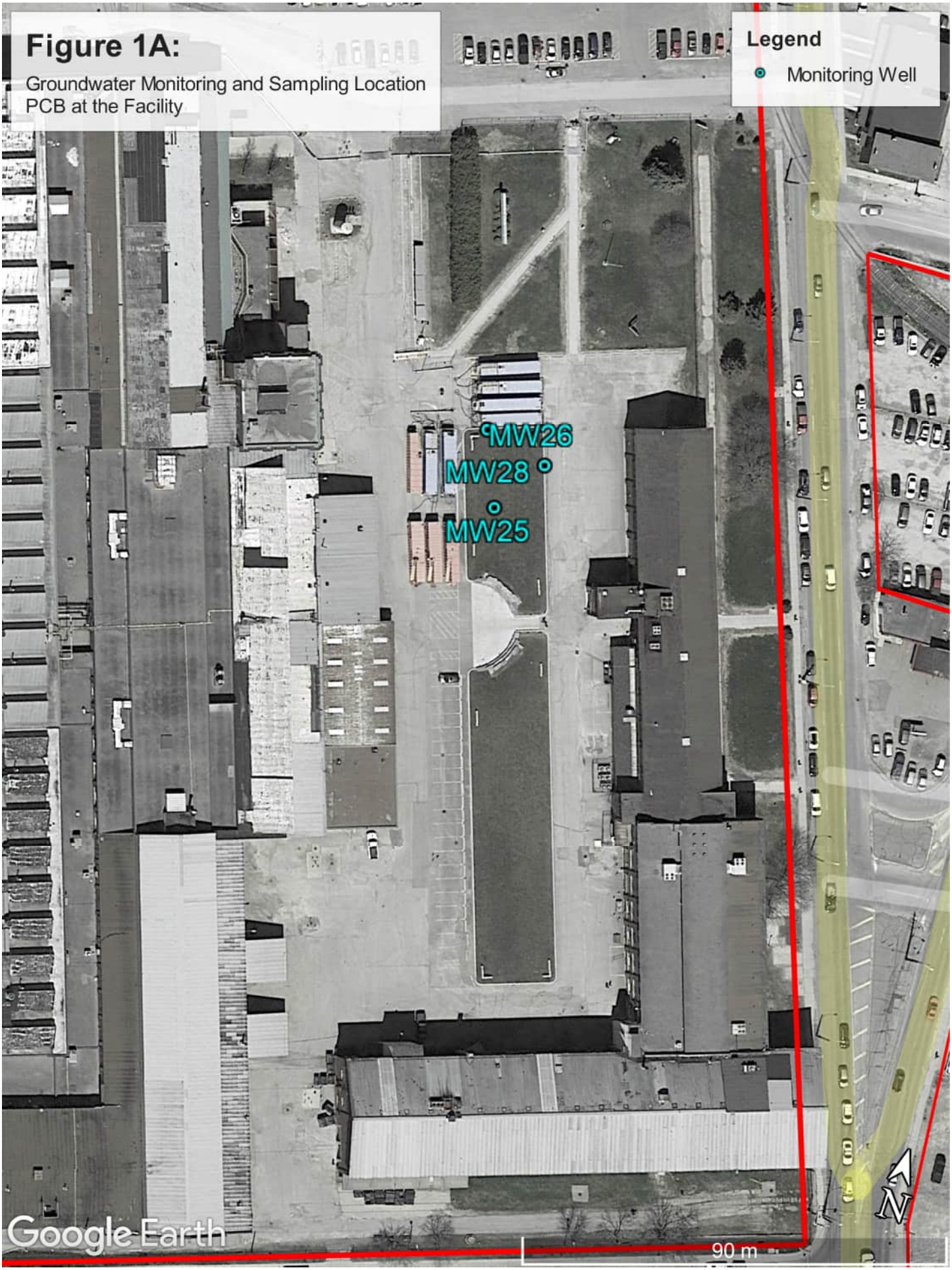


Figure 1A:
Groundwater Monitoring and Sampling Location
PCB at the Facility
Legend
Monitoring Well
MW26
MW28
MW25
Google Earth
90 m
N

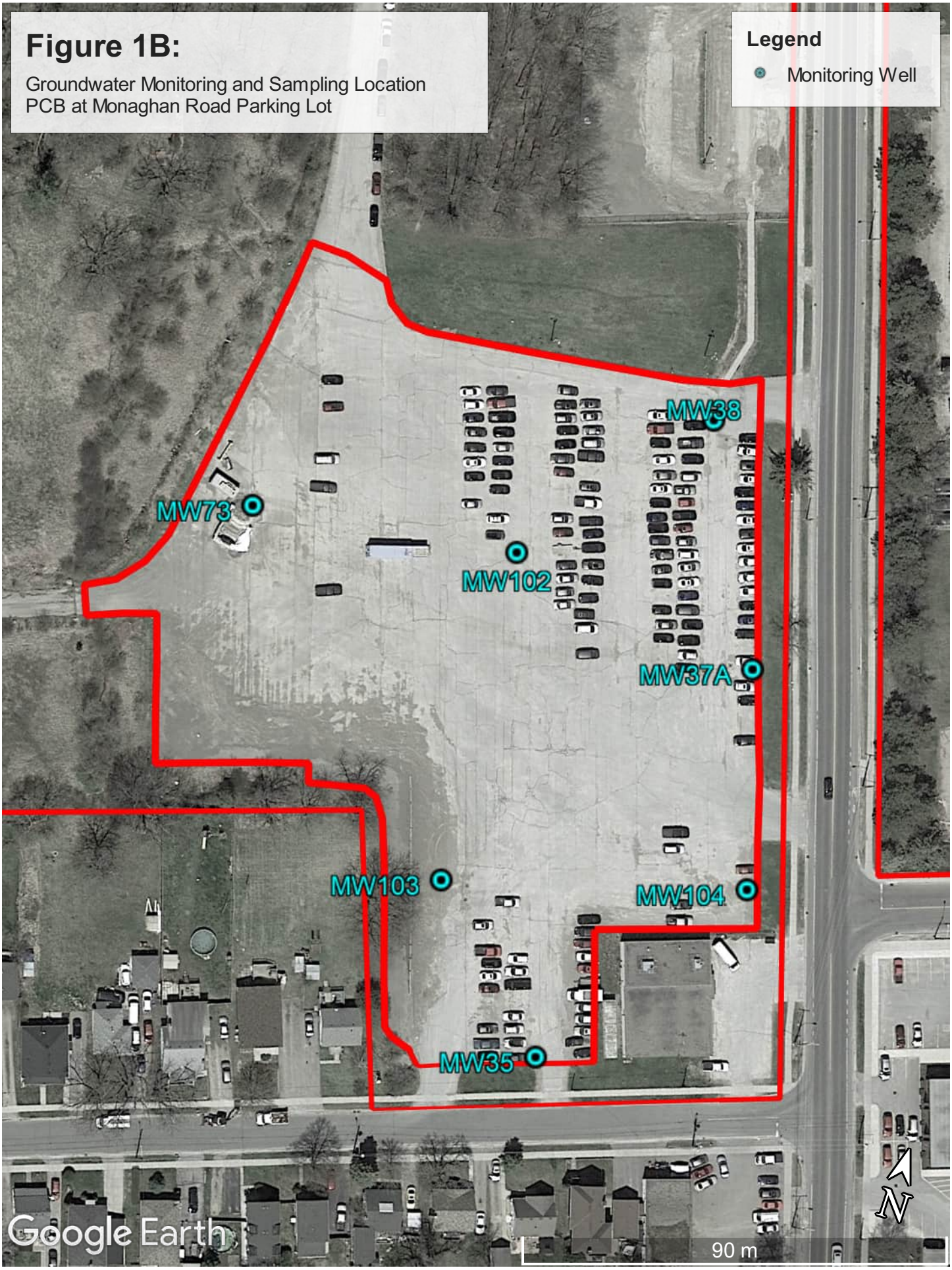


Figure 1B:
Groundwater Monitoring and Sampling Location
PCB at Monaghan Road Parking Lot
Legend
Monitoring Well
MW38
MW73
MW102
MW37A
MW103
MW104
MW35
N
Google Earth
90 m


Figure 1C:
Groundwater Monitoring and Sampling Location
Select VOCs for RAP/SSRA
Legend
Extraction Well
Monitoring Well
MW32
MW33
MW11R2
MW05R
MW53
MW62
MW59R
MW58
MW52
EW-1
MW67
MW61
MW51
EW-2
EW-3
MW60R
EW-4
EW-5
MW68
EW-6
MW50
MW71
MW49
MW66
MW65
MW64
MW63R
N
Google Earth
300 m


Figure 1D:
Groundwater Monitoring and Sampling Location
Monitored Natural Attenuation
Legend
Monitoring Well
MW11R2
MW59R
MW61
MW60R
MW68
MW71
MW66
MW65
MW64
MW63R
N
300 m
Google Earth


Figure 2:
Soil Vapour Monitoring Locations
Legend
Soil Vapour Monitoring Locations
GP3-12
GP5-12
GP19-12
GP18-12
GP7-12
GP21-12
Google Earth
300 m
N

Figure 3:

Stormwater Monitoring Locations