

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER A-500-4277838045

Version: 1.0

Issue Date: October 10, 2024

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:

6678 Wellington Road 34

Town of Puslinch, County of Wellington

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

a waste disposal site

to be used for the processing of the following types of waste:

excess soil, including liquid soil

DEFINITIONS

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

1. "Approval" means this entire provisional Environmental Compliance Approval document, issued in accordance with Part II.1 of the EPA, and includes any schedules to it, the application and the supporting documentation listed in Schedule 1, as amended from time to time;
2. "Design and Operations Report" means the document describing all on-site operations, procedures and environmental protection measures, further described in the conditions of this Approval;
3. "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 V of the EPA;
4. "District Manager" means the District Manager of the local district office of the Ministry in which the Site is geographically located;
5. "EPA" means Environmental Protection Act, R.S.O. 1990, c. E.19, as amended;
6. "Monitoring Plan" means the groundwater and surface water monitoring plan described in Section 6 in Item 3 in Schedule 1;
7. "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 and OWRA under the Executive Council Act, R.S.O. 1990 c. E.25;

8. "Ministry" means the ministry of the Minister;
9. "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, and includes its successors or assigns;
10. "Owner" means any person that is responsible for the establishment or operation of the Site being approved by this Approval, and includes 2374868 Ontario Inc., its successors and assigns;
11. "OWRA" means the Ontario Water Resources Act, R.S.O. 1990, c. O.40, as amended;
12. "PA" means the Pesticides Act, R.S.O. 1990, c. P.11, as amended;
13. "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;
14. "Regional Director" means the Regional Director of the local regional office of the Ministry in which the Site is located;
15. "Reg. 347" means R.R.O. 1990, Regulation 347: General - Waste Management, made under the EPA, as amended from time to time;
16. "Site" means the facility located at 6678 Wellington Road 34, Cambridge, Ontario, authorized by this Approval;
17. "Soil Rules" means the Ministry's "Rules for Soil Management and Excess Soil Quality Standards" document;
18. "Trained Personnel" means persons knowledgeable in the following through instruction and/or practice:
 - a. relevant waste management legislation, regulations and guidelines;
 - b. major environmental concerns pertaining to the material being handled;
 - c. occupational health and safety concerns pertaining to the processes and materials being handled;
 - d. site management procedures, including the use and operation of the equipment that person is required to operate for the processes and materials being handled by that person;
 - e. emergency response procedures;
 - f. specific written procedures for the control of nuisance conditions;
 - g. specific written procedures for management of unacceptable loads;
 - h. the requirements of this Approval.

TERMS AND CONDITIONS

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

1. The Owner and Operator shall ensure compliance with all the conditions of this Approval and shall ensure that any person authorized to carry out work on or operate any aspect of the Site is notified of this Approval and the conditions herein and shall take all reasonable measures to ensure any such person complies with the same.
2. Any person authorized to carry out work on or operate any aspect of the Site shall comply with the conditions of this Approval.
3.
 1. Except as otherwise provided by this Approval, the Site shall be designed, developed, built, operated and maintained in accordance with the application for this Approval, dated March 27, 2024, and the supporting documentation listed in Schedule 1.

2.
 1. Construction and installation of the aspects of the Site described in the application for this Approval must be completed within 5 years of the later of:
 1. the date this Approval is issued; or
 2. 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.
 2. This Approval ceases to apply in respect of the aspects of the Site noted above that have not been constructed or installed before the later of the dates identified in Condition 3.2.1 above.
4. Where there is a conflict between a provision of any document, including the application, referred to in this Approval, and the conditions of this Approval, the conditions in this Approval shall take precedence.
5. Where there is a conflict between the application and a provision in any documents listed in Schedule 1, the application shall take precedence, unless it is clear that the purpose of the document was to amend the application and that the Ministry approved the amendment.
6. Where there is a conflict between any two documents listed in Schedule 1, other than the application, the document bearing the most recent date shall take precedence.
7. The requirements of this Approval are severable. If any requirement of this Approval, or the application of any requirement of this Approval to any circumstance, is held invalid or unenforceable, the application of such requirement to other circumstances and the remainder of this Approval shall not be affected thereby.
8. The issuance of, and compliance with the conditions of, this Approval does not:
 1. relieve any person of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement, including municipal by-laws relating to zoning or site plan approval; or
 2. limit in any way the authority of the Ministry to require certain steps be taken or to require the Owner and Operator to furnish any further information related to compliance with this Approval.
9. The Owner and Operator shall take steps to minimize and ameliorate any adverse effect (as defined in the EPA) or impairment of air quality or water quality resulting from operations at the Site, including such accelerated or additional monitoring as may be necessary to determine the nature and extent of the effect or impairment.
10. Despite an Owner, Operator or any other person fulfilling any obligations imposed by this Approval the person remains responsible for any contravention of any other condition of this Approval or any applicable statute, regulation, or other legal requirement resulting from any act or omission that caused the adverse effect (as defined in the EPA) or impairment of water quality.
11. The Owner shall notify the Director in writing, and forward a copy of the notification to the District Manager, within 30 days of the occurrence of any of the following changes:
 1. the ownership of the Site
 2. the Owner or Operator of the Site;
 3. the name or address of the Owner or Operator;
 4. the 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 Partnerships Act, R.S.O. 1990, c. P.5 shall be included in the notification; or
 5. the directors, where the Owner of the Operator is or at any time becomes a corporation, and a copy of the most current information filed as required by the Corporations Information Act, R.S.O. 1990, c. C.39 shall be included in the notification.
12. No portion of this Site shall be transferred or encumbered prior to or after closing of the Site unless the Director is notified in advance and sufficient financial assurance is deposited with the Ministry to ensure that these conditions will

be carried out.

13. No person shall hinder or obstruct a Provincial Officer in the performance of their duties, including any and all inspections authorized by the OWRA, the EPA or the PA of any place to which this Approval relates, and without limiting the foregoing to:
 1. enter upon the premises where the Site is located, or the location where the records required by the conditions of this Approval are kept;
 2. have access to, inspect, and copy any records required by the conditions of this Approval;
 3. inspect the practices, procedures, or operations required by the terms and conditions of this Approval; and
 4. sample and monitor for the purposes of assessing compliance with the conditions of this Approval or the EPA, the OWRA or the PA.
14. No later than 20 days from the date of issuance of this Approval, the Owner shall submit financial assurance as defined in Section 131 of the EPA to the Director in the amount of \$119,505. This financial assurance shall be in a form and amount acceptable to the Director and shall provide sufficient funds to pay for compliance with and performance of any action specified in this Approval, including Site clean-up, monitoring and the disposal of all quantities of waste on-site, closure and post-closure care of the Site and contingency plans for the Site.
15. Commencing on March 31, 2029, and every 5 years thereafter, the Owner shall provide to the Director a re-evaluation of the amount of the financial assurance required to facilitate the actions described under condition 14 above. Additional financial assurance, if required, must be submitted to the Director within 20 days of written acceptance of the re-evaluation by the Director.
16. 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 60 days before the financial assurance terminates, the financial assurance shall forthwith be replaced by cash.
17. Any information requested by the Ministry concerning the Site and its operation under this Approval, including, but not limited to, any records required to be kept by this Approval, shall be provided in a timely manner to the Ministry, upon request. Records shall be retained for 7 years unless otherwise authorized in writing by the Director.
18. The receipt of any information by the Ministry or the failure of the Ministry to prosecute any person or to require any person to take any action, under this Approval or under any statute, regulation or other legal requirement, in relation to the information, shall not be construed as:
 1. an approval, waiver, or justification by the Ministry of any act or omission of any person that contravenes any term or condition of this Approval or any statute, regulation or other legal requirement; or
 2. acceptance by the Ministry of the information's completeness or accuracy.
19.
 1. The receipt, unloading, loading and transfer of waste and other waste-derived materials may be carried out at the Site between the hours of 7:00am and 6:00pm, Monday through Friday, unless otherwise restricted by municipal by-laws.
 2. Waste may be processed and managed at the Site 24 hours per day, 7 days per week, unless otherwise restricted by municipal by-laws.
20. Only waste generated in the province of Ontario shall be accepted at the Site.
21. No waste other than non-hazardous excess soil that is liquid shall be accepted at the Site.
22. The Site is approved for the following waste management activities:
 1. The receipt, temporary storage, and transfer of excess soil that is liquid, and the temporary storage, testing and

transfer of dry processed soil, process water and other process derivatives.

2. The processing of excess soil that is liquid soil using the equipment and methods described in Item 1 of Schedule 1, including the passive dewatering of excess soil that is liquid using lined swales and ponds.
 3. The temporary storage of process water in lined swales and ponds prior to testing and discharge.
- 23.
1. The amount of waste received at the Site shall not exceed 125 tonnes per day.
 2. The amount of waste and waste-derived materials present at the Site at any one time shall not exceed the following:
 1. 440 cubic metres of liquid waste, including excess soil that is liquid and process water, contained in lined swales and ponds on-site; and
 2. 525 tonnes of all other waste, including dry processed soil and process derivatives.
 3. The Owner shall refuse any load if the receipt of that load could reasonably be expected to cause non-compliance with this Approval, including the receipt and storage limitations set out above.
- 24.
1.
 1. Trained Personnel shall supervise all shipments of waste received at the Site. Prior to any shipment being unloaded, Trained Personnel shall review the accompanying information for that shipment, and examine the contents of the truck where possible, to ensure the waste matches the description provided and that the waste is permitted to be received further to the conditions of this Approval. If any shipment is suspected of containing unapproved waste, that shipment shall be refused and shall not be unloaded at the Site.
 2. Trained Personnel shall examine all shipments of waste while they are being unloaded. If at any time a shipment is discovered to contain unapproved material, the shipment shall be refused and all portions of the shipment that can be recovered shall be removed from the Site.
 2. In the event that a shipment of waste is rejected from the Site, the Owner shall forthwith notify the District Office of the following in writing:
 1. the name of the company that brought the rejected load to the Site;
 2. the license plate number of the vehicle that brought the rejected load to the Site;
 3. a description of the rejected waste and the reason for rejecting the shipment;
 4. the destination of the rejected waste if the driver provides that information.
 3. All liquid soil shall be unloaded directly into the designated soil management area in a manner that prevents spills during transfer.
 4. The Owner shall ensure that:
 1. no process water is discharged directly to a storm sewer, to any waterbody or any other part of the natural environment, or otherwise in a manner that requires approval under Section 53 of the OWRA, unless such an approval is in effect for the Site; and
 2. all process water is otherwise managed in accordance with applicable municipal, provincial and federal requirements, which may include discharge to sanitary sewer as permitted by the local municipality or disposal of the process water off-site in a facility permitted to receive such material.
 5. Notwithstanding Condition 24.4 above, process water may be infiltrated at the Site provided the waste is tested prior to discharge in accordance with the Monitoring Plan.
 6. Dry excess soil recovered from processing of excess soil that is liquid may be stored outdoors in stockpiles in designated areas on an impermeable surface, with any contact water generated to be directed to the on-site drainage swale.

7. The Owner shall ensure that the management of dry excess soil is carried out in a manner that minimizes impacts from wind-blown dust.
 8. Dry excess soils that have been tested shall remain segregated from all other soils on-site.
25. No processed soil shall leave the Site for reuse unless it has been sampled, analysed and managed in accordance with the following:
1. The Owner shall ensure that soil sampling, analysis and the number of samples collected for each stockpile is in accordance with Table 2 of Schedule E in Ontario Regulation 153/04.
 2.
 1. The Owner shall ensure that discrete samples are taken and analysed for:
 1. metals;
 2. hydride-forming metals;
 3. petroleum hydrocarbons (PHCs);
 4. benzene, toluene, ethylbenzene, xylene (BTEX);
 5. volatile organic compounds (VOCs);
 6. polycyclic aromatic hydrocarbons (PAHs);
 7. acid/base/neutral compounds (ABNs);
 8. chlorophenols (CPs).
 2. The Owner shall ensure that each processed soil load leaving the Site is tested in accordance with Schedule 9 in Reg. 347 ("slump test") to ensure the processed soil is solid.
 3. The Owner shall ensure that any additional sampling and analysis specific to the receiving site shall be carried out as required by the local municipality, the local conservation authority and any applicable federal/provincial legislation.
 4. Should the receiving site be subject to the requirements set out in O. Regulation 153/04, the Owner shall ensure that any additional sampling and analysis specific to the receiving site shall be carried out as recommended by the Qualified Person for the receiving site.
 3.
 1. When determining bulk concentrations of contaminants in the processed soil to verify compliance with the Soil Standards, the testing shall be in compliance with the "Protocol for Analytical Methods Used in the Assessment of Properties under Part XV.1 of the Environmental Protection Act", dated July 1, 2011, as amended and in accordance with the industry standards.
 2. The Owner shall submit the samples to an accredited laboratory for the required analysis. All samples shall be handled in accordance with the instructions of the accredited laboratory carrying out the analytical testing.
 4. Processed soil to be sent off-site for beneficial reuse as described Section 5(1)3 in Ontario Regulation 406/19 shall only be sent off-site for reuse in accordance with Section 3 of Ontario Regulation 406/19 and the Soil Rules. All other processed soil shall only be transferred off-site to a waste disposal site that is approved to accept that type of material in accordance with the Environmental Compliance Approval for that site, or to a location not required to obtain an Environmental Compliance Approval to manage that material.
 5. Rock (having a same meaning as in Ontario Regulation 406/19) that does not meet the definition of inert fill set out in Reg. 347 shall only be transferred off-site to a waste disposal site that is approved to accept that type of material in accordance with the Environmental Compliance Approval for that site, or to a location not required to obtain an Environmental Compliance Approval to manage that material.
26. A sign shall be posted and maintained at the entrance to the Site in a manner that is clear and legible, and shall include

the following information:

1. the name of the Site and Owner;
2. this Approval number;
3. the name of the Operator;
4. the normal hours of operation as described in Condition 19 above;
5. the allowed materials that may be accepted at the Site, and any materials explicitly prohibited by conditions of this Approval;
6. a telephone number to which complaints may be directed; and
7. a twenty-four (24) hour emergency telephone number (if different from above).

27. The Site shall be operated and maintained in a secure manner, such that unauthorized persons cannot enter the Site.

28. 1. The Owner shall:

1. construct liners under all soil storage areas and under all process water collection/storage and conveyance pathways on-site no later than 90 days from the date of issuance of this Approval in order to prevent uncontrolled infiltration of process water or contact water at the Site;
2. submit as-built drawings showing construction details for the above-noted liners to the Director no later than 120 days from the date of issuance of this Approval;
3. maintain the above-noted liners in good condition at all times.

2. The Owner shall ensure that the Site is monitored in accordance with the Monitoring Plan noted in Item 3 in Schedule 1, including:

1. sampling of the groundwater wells MW01-20, MW02-20, MW03-20, MW4-23, MW5-23, BH213, BH214, BH219 and the two on-site water supply wells AGW1, APW1 on a quarterly basis with samples to be analyzed for metals, VOCs, PHCF1-F4, SVOCs, and PAHs;
2. sampling of the stormwater management pond on a weekly basis with samples to be analyzed for metals, VOCs, PHCF1-F4, SVOCs, and PAHs;
3. measurement of the static groundwater levels at the eight groundwater monitoring wells (excluding supply wells) quarterly during the groundwater sampling events.

3. All samples shall be submitted to a Canadian Association for Laboratory Accreditation (CALA) accredited laboratory for analysis.

4. Each surface water sample shall be compared against the limits set out in Table 2: Full Depth Generic Site Condition Standards in a Potable Ground Water Condition for Coarse Textured Soils, as provided in the MECP document entitled "Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act", dated April 15, 2011.

5. Process water shall be stored in the on-site temporary holding pond until it has been tested. Process water that does not meet Table 2 Standards as noted above shall not be released into the natural environment, but shall be removed from the Site for treatment or disposal at an approved facility.

6. The Owner shall prepare and submit to the District Manager a groundwater monitoring report, on an annual basis, within 90 days following the end of each operational season. The first report shall cover the first annual period following the date of issuance of this Approval, with subsequent reports covering successive annual periods thereafter.

7. The annual groundwater report shall be prepared in accordance with the following:

1. The report shall be prepared by a qualified person who is a professional geoscientist (P. Geo.) and/or a registered professional engineer (P. Eng.) with relevant hydrogeological expertise.
2. The report shall contain a summary and interpretation of the groundwater monitoring data, and shall include an assessment of the following:
 1. groundwater flow direction;
 2. groundwater quality analytical results;
 3. a statement as to the adequacy of the groundwater monitoring program;
 4. a statement as to the adequacy of the parameters of concern, trigger threshold values and contingency measures under the Groundwater Trigger Mechanism and Contingency Plan as recognized in this Approval.
3. The report shall include a statement from the qualified person on the effectiveness of any engineered controls and associated operational practices in place to mitigate environmental impacts.
4. The report shall include a statement from the qualified person on whether the Reasonable Use Guideline has been met at the property boundary in accordance with the Ministry document entitled "Guideline B-7, Incorporation of the Reasonable Use Concept into Groundwater Management" dated 1994.
5. No modification shall be made to the groundwater monitoring program unless permitted through an amendment to this Approval.
8. The Owner shall adopt the preliminary Trigger Response Plan for the groundwater monitoring program as described in Item 2 in Schedule 1.
9. Within 30 days of collecting 2 years of groundwater monitoring data, and no more than 25 months from the date of issuance of this Approval, the Owner shall submit to the District Manager a Groundwater Trigger Mechanism and Contingency Plan that is protective of drinking water. The groundwater parameters of concern shall be determined after collecting 2 years of groundwater quality data in accordance with the groundwater monitoring program described in this Approval. This document shall be prepared by a qualified person who is a registered professional geoscientist (P. Geo.) and/or a registered professional engineer (P. Eng.) with relevant hydrogeological expertise, and shall be prepared in accordance with the following:
 1. The document shall include a proposal for site-specific groundwater trigger threshold values for parameters of concern in accordance with the Ministry's Guideline B-7 document noted above.
 2. The document shall include proposed trigger mechanisms and contingency measures for the Site.
 3. Once approved by the District Manager, trigger threshold values, trigger mechanisms and contingency measures shall be incorporated into the groundwater monitoring plan for the Site.
 4. No modifications shall be made to the Groundwater Trigger Mechanism and Contingency Plan unless permitted through an amendment to this Approval.
10. No later than 90 days from the date of issuance of this Approval, the Owner shall prepare a Spill Prevention and Contingency Plan for that Site that describes the infrastructure and procedures that will be in place at the Site to prevent spills and all contingency measures to be employed in the event of a spill at the Site.
11. No later than 90 days from the date of issuance of this Approval, the Owner shall prepare a plan to prevent impacts to groundwater from the storage and use of winter maintenance materials including salt.
12. The Owner shall ensure that any water taking is only carried out in accordance with a Permit to Take Water where such a permit is required.
29. The Owner shall maintain a training plan to be used to train all employees that operate the Site.
30. The Owner shall ensure that Trained Personnel are available at all times during the hours of operation of this Site, and that Trained Personnel supervise all management of excess soils that are liquid, processed soils, and process water and

other process derivatives at the Site.

31. An inspection of the entire Site and all equipment on-site shall be conducted each day the Site is in operation to ensure that: the Site is secure; that the operation of the Site is not causing any nuisances; that the operation of the Site is not causing any adverse effects on the environment; and that the Site is being operated in compliance with this Approval. Any deficiencies discovered as a result of the inspection shall be remedied immediately or as soon as practicable, which may require temporarily ceasing operations at the Site if needed.
32. A record of the inspections, including the following information, shall be kept in the daily log book:
 1. the name and signature of person that conducted the inspection;
 2. the date and time of the inspection;
 3. a list of any deficiencies discovered;
 4. any recommendations for remedial action; and
 5. the date, time and description of actions taken.
33. The Site shall be operated and maintained such that vermin, vectors, dust, litter, odour and noise do not create a nuisance.
34. If at any time the Owner receives a complaint regarding an adverse effect (as defined in the EPA) due to operation of the Site, the Owner shall respond to the complaint according to the following procedure:
 1. The Owner shall record and number each complaint, either electronically or in a separate log book, along with the following information:
 1. the nature of the complaint;
 2. the name, address and telephone number of the complainant (if provided);
 3. the date and time the complaint was received;
 4. a description of the weather conditions at the time of the complaint;
 5. a description of the liquid soils, processed soils and process water handling activities taking place at the time of the complaint; and
 6. a description of the known or suspected activity causing the complaint.
 2. The Owner shall:
 1. initiate appropriate steps to determine all possible causes of the complaint;
 2. proceed to take the necessary actions to eliminate the cause of the complaint;
 3. notify the District Manager of the complaint within 24 hours of receiving the complaint;
 4. forward a written response to the District Manager within 5 business days of receiving the complaint, with a copy to the complainant if they have identified themselves, that describes the actions taken to address the complaint; and
 5. forward daily updates to the District Manager, if requested, until the complaint is resolved.
 3. The Owner shall complete and retain on-site a report written within 10 business days of the complaint date, including:
 1. the information required in conditions 34.1 and 34.2.4 above;
 2. a list of the actions taken to resolve the complaint; and

3. recommendations for any remedial measures, managerial changes or operational changes that would reasonably avoid the recurrence of similar incidents in the future.

35. The Owner shall prepare and provide a copy of an emergency response plan to the Fire Department within 30 days of the issuance of this Approval.
36. The emergency response plan shall be kept up to date, and a copy shall be retained and accessible to all staff at all times.
37. The equipment, materials and personnel requirements outlined in the emergency response plan shall be immediately available on the Site at all times. The equipment shall be kept in a good state of repair and in a fully operational condition.
38. Each staff member that operates the Site shall be fully trained in the use of the equipment they are required to operate under the emergency response plan and in the procedures to be employed in the event of an emergency.
39. The Owner shall immediately take all measures necessary to contain and clean up any spill (as defined in the EPA) which may result from the operation of this Site and immediately implement the emergency response plan if required.
40. A Closure Plan shall be submitted to the Director for approval, with a copy to the District Manager, no later than six (6) months before the planned closure date of the Site. The Closure Plan shall include, at 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.
41. Upon closure, the Site shall be closed in accordance with the approved Closure Plan.
42. No more than 10 days after closure of the Site, the Owner shall notify the Director, in writing, that the Site is closed and that the approved Closure Plan has been implemented.
43. A daily log shall be maintained at the Site, either electronically or in written format, and shall include the following information as a minimum:
 1. the date;
 2. quantities and sources of all waste received at the Site;
 3. estimated quantities of all stockpiled soil on-site at the end of each operating day;
 4. quantities and destinations of all waste and waste-derived materials shipped from the Site;
 5. a record of all sampling and analysis carried out further to the conditions of this Approval;
 6. a record of daily inspections required by this Approval;
 7. a record of all maintenance or repair activities carried out on any impermeable liners, water storage or conveyance features, or other waste management infrastructure and equipment on-site;
 8. a record of any process upsets or spills with the potential to enter the natural environment, the nature of the spill or process upset and the action taken for the clean up or correction of the spill, the time and date of the spill or process upset, and for spills, the time that the Ministry and other persons were notified of the spill in fulfilment of the reporting requirements in the EPA .
 9. a record of any refusals, including the types and amounts of waste refused, reasons for refusal and actions taken;
 10. a record of all complaints received regarding operations at the Site.
44.
 1. By March 31, 2025, the Owner shall prepare a written report that covers the period from the date of issuance of this Approval until March 31, 2025 that shall be kept on-site and made available to any Provincial Officer upon request.
 2. By March 31, 2026, and on an annual basis thereafter, the Owner shall prepare a written report for the previous

calendar year that shall be kept on-site and made available to any Provincial Officer upon request.

3. The report noted above shall include, at a minimum, the following information:
 1. a detailed monthly summary of the type and quantity of all incoming and outgoing liquid soils, processed soils, process water, rock and debris and the destination of all outgoing liquid soils, processed soils, process water, rock and debris along with a summary of all sampling and analysis for outgoing materials;
 2. the results of the sampling and analysis required under the Monitoring Plan;
 3. any environmental and operational problems, that could negatively impact the natural environment (as defined in the EPA), encountered during the operation of the Site and during the facility inspections and any mitigative actions taken;
 4. any changes to the emergency response plan or the Design and Operations Report since the last Annual Report;
 5. any recommendations to minimize environmental impacts from the operation of the Site and to improve Site operations and monitoring programs in this regard.

REASONS

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

1. 1. The reason for the definitions section is to simplify the wording of the subsequent conditions and define the specific meaning of terms as used in this Approval.
2. The reason for Conditions 1, 2, 4, 5, 6, 7, 8, 9, 10 and 13 is to clarify the legal rights and responsibilities of the Owner and Operator.
3. The reason for Condition 3 is to ensure that the Site is operated in accordance with the application and supporting documentation submitted by the Owner, and not in a manner which the Director has not been asked to consider.
4. The reasons for Condition 11 are 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.
5. The reasons for Condition 12 are to restrict potential transfer or encumbrance of the Site without the approval of the Director and to ensure that any transfer of encumbrance can be made only on the basis that it will not endanger compliance with this Approval.
6. The reason for Conditions 14, 15 and 16 is to ensure that sufficient funds are available to the Ministry to clean up the Site in the event that the Owner is unable or unwilling to do so.
7. The reason for Conditions 17 and 18 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, OWRA and PA.
8. The reason for Condition 19 is to specify the hours of operation for the Site.

9. The reason for Condition 20 is to specify the approved service area from which waste may be accepted at the Site.
10. The reasons for Conditions 21, 22 and 23 are to specify the types of materials that may be accepted at the Site, the maximum amounts of waste that may be stored at the Site, the maximum rate at which the Site may receive and ship waste and the allowable methods of processing based on the Owner's application and supporting documentation.
11. The reason for Condition 24 is to ensure that all wastes received at the Site are properly identified and classified to ensure they are managed in a manner that protects the health and safety of people and the environment.
12. The reasons for Condition 25 is to ensure that all processed material is testing and to ensure that any processed material is only sent off-site for reuse to an appropriate receiving facility.
13. The reason for Condition 26 is to ensure that users of the Site are fully aware of important information and restrictions related to Site operations and access under this Approval.
14. The reason for Condition 27 is to ensure the controlled access and integrity of the Site by preventing unauthorized access when the Site is closed and no site attendant is on duty.
15. The reason for Conditions 28 and 33 is to ensure that the Site is operated in a manner which does not result in a nuisance or a hazard to the health and safety of people and the environment, and to ensure that the Site is monitored to prevent and address impacts groundwater.
16. The reason for Conditions 29 and 30 is to ensure that the Site is operated by properly Trained staff in a manner which does not result in a hazard or nuisance to people or the environment.
17. The reason for Conditions 31 and 32 is to ensure that inspections of all Site grounds and infrastructure are carried out on a regular basis, and that detailed records of Site inspections are recorded and maintained for compliance and information purposes.
18. The reason for Condition 34 is to ensure that any complaints regarding Site operations at the Site are responded to in a timely manner.
19. The reasons for Conditions 35, 36, 37, 38 and 39 is to ensure that an Emergency Response Plan is developed and maintained at the Site, and that staff are properly trained in the operation of the equipment used at the Site and emergency response procedures.
20. The reason for Conditions 40, 41 and 42 is to ensure that the Site is closed in accordance with Ministry standards and to protect the health and safety of the public and the environment.
21. The reason for Condition 43 is to provide for the proper assessment of effectiveness and efficiency of site design and operation, their effect or relationship to any nuisance or environmental impacts, and the occurrence of any public complaints or concerns. Record keeping is necessary to determine compliance with this Approval, the EPA and its regulations.
22. The reason for Condition 44 is to ensure that regular review of site development, operations and monitoring data is documented and any possible improvements to site design, operations or monitoring programs are identified. An annual report is an important tool used in reviewing site activities and for determining the effectiveness of

site design.

APPEAL PROVISIONS

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 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 <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**

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, 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 10th day of October, 2024



Mohsen Keyvani

Director

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

c: Eric Nafziger

The following schedules are a part of this environmental compliance approval:

SCHEDULE 1

This Schedule 1 includes a list of documents relied upon for review:

1. Environmental Compliance Approval received March 27, 2024 requesting approval of a liquid soil processing site, signed by Eric Nafziger, Site Manager, 2374868 Ontario Inc., including all supporting documentation.
2. Email dated June 25, 2024 from Dan Puddephatt, P.Ge., GHD, to Pamela Grande, P.Ge., MECP, including the attached letter dated June 25, 2024 from Dan Puddephatt, P.Ge., GHD to Pamela Grande, P.Ge., MECP detailing the proposed trigger response plan ("GHD, 2024a. Proposed Trigger Response Plan – Conestoga Badger Inc. June 25").
3. Email dated July 5, 2024 from Dan Puddephatt, P.Ge., GHD, to Pamela Grande, P.Ge., MECP, including the attached document entitled "Hydrogeological Impact Assessment Revision No.1" dated July 2, 2024 ("GHD, 2024b. Hydrogeological Impact Assessment Revision No. 1, 2374868 Ontario Inc., Badger Conestoga Inc. July 5").