
ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER A-500-4300841991

Version: 1.0

Issue Date: February 26, 2025

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:

AQUA-CLEAN ENVIRONMENTAL INC.

3442 DUNROBIN ROAD

OTTAWA ONTARIO

K0A 3M0

For the following site:

3155 Carp Road

Ottawa, ON

K0A 1L0

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 0.9 hectare (ha) waste disposal site to be used for the processing of non-hazardous Liquid Soil originated from hydrovac operations.

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;

"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;

"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;

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

"EPA" means *Environmental Protection Act*, R.S.O. 1990, c. E.19, as amended;

"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;

"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;

"Ministry" means the ministry of the Environment, Conservation and Parks;

"NMA" means the Nutrient Management Act, 2002, S.O. 2002, c. 4, as amended;

"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;

"O. Reg. 406/19" means Ontario Regulation 406/19 - On-Site and Excess Soil Management, made under the EPA, as amended from time to time;

"Owner" means any person that is responsible for the establishment or operation of the Site being approved by this Approval, and includes AQUA-CLEAN ENVIRONMENTAL INC., its successors and assigns;

"OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;

"PA" means the *Pesticides Act*, R.S.O. 1990, c. P.11, as amended;

"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 the PA or Section 4 of the NMA or Section 8 of SDWA;

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

"Regional Director" means the Regional Director of the local regional office of the Ministry in which the Site is located;

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

"Reuse Site" is as defined in O. Regulation 406/19;

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

"Site" means the facility located at 3155 Carp Road, Ottawa, Ontario, authorized by this Approval;

"Soil Quality Criteria" means the Excess Soil Standards set out in the Soil Rules required for a Reuse Site and also includes the site-specific criteria as set out in Section D of the Soil Rules;

"Soil Rules" means the Ministry's "Rules for Soil Management and Excess Soil Quality Standards" document, 2020;

"TCLP" means the Toxicity Characteristic Leaching Procedure which is defined in Regulation 347 as the Toxicity Characteristic Leaching Procedure;

"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. Compliance

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.

2. In Accordance

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 September 23, 2024, and the supporting documentation listed in Schedule "1".
2. 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:
 - a. the date this Approval is issued; or
 - b. 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.
3. 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 2(2) above.

3. Interpretation

1. 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.
2. 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.
3. 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.

4. The requirements of this Approval are severable. If any requirement of this Approval, or the application of any requirement of this Approval to any circumstance, is held invalid or unenforceable, the application of such requirement to other circumstances and the remainder of this Approval shall not be affected thereby.

4. Other Legal Obligations

1. The issuance of, and compliance with, this Approval does not:
 - a. relieve any person of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement including, but not limited to:
 - i. obtaining site plan approval from the local municipal authority;
 - ii. obtaining all necessary building permits from the local municipal authority Building Services Division;
 - iii. obtaining approval from the local Chief Fire Prevention Officer.
 - b. 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.
2. The Owner shall ensure that:
 - a. all equipment discharging to air operating at the Site are approved under Section 9 of the EPA; and
 - b. all effluent and stormwater is discharged in accordance with section 53 of the OWRA.

5. Adverse Effects

1. 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.
2. 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.

6. Change of Owner

1. 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:

- a. the ownership of the Site;
 - b. the Owner or Operator of the Site;
 - c. the name or address of the Owner or Operator;
 - d. 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
 - e. 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.
2. 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.

7. Inspections

1. 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 or the NMA or the SDWA of any place to which this Approval relates, and without limiting the foregoing to:
- a. enter upon the premises where the Site is located, or the location where the records required by the conditions of this Approval are kept;
 - b. have access to, inspect, and copy any records required by the conditions of this Approval;
 - c. inspect the practices, procedures, or operations required by the terms and conditions of this Approval; and
 - d. sample and monitor for the purposes of assessing compliance with the conditions of this Approval or the EPA, the OWRA or the PA or the NMA or the SDWA.

8. Information and Record Retention

1. 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 5 years unless otherwise authorized in writing by the Director.

2. 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:
 - a. 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
 - b. acceptance by the Ministry of the information's completeness or accuracy.

9. Financial Assurance

1. By April 30th, 2025, the Owner shall submit financial assurance as defined in Section 131 of the EPA to the Director in the amount of \$136,500.0. 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.
2. Commencing on April 30th, 2030, and every 5 years thereafter, the Owner shall provide to the Director a reevaluation of the amount of the financial assurance required to facilitate the actions described under condition 9(1) above.
3. 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.

10. Hours of Operations

1. Outside loading and unloading of waste (Liquid Soil) and processed soil may be carried out between the hours of 7:00am and 7:00pm, Monday through Friday, unless otherwise restricted by municipal by-laws.
2. Notwithstanding Condition 10(1) above, waste generated through emergency activities (including emergency repair work) may be received at the Site 24 hours per day, 7 days per week, unless otherwise restricted by municipal by-laws.
3. In case of waste received as per Condition 10(2) above, the Owner shall notify the District Manager in writing, within 5 business days of the receipt of the waste, of the following:
 - a. the date and time of receipt;

- b. the type and amount of waste received; and
- c. the nature of the emergency activity.

11. Service Area

1. Only waste generated in the province of Ontario shall be accepted at the Site.

12. Acceptable Materials

1. No waste other than non-hazardous Liquid Soil originated from hydrovac operations shall be accepted at the Site.

13. On-Site Management

1. The Site is approved for the following waste management activities:
 - a. The receipt, temporary storage and transfer of Liquid Soil, and processed soil.
 - b. The processing of liquid soil using the equipment described in the Design and Operations Report included in Item 2 of Schedule "1", including the screening of Liquid Soil, mechanical shaker to separate rock, sand, flocculation (mixing flocculent agents) to remove silt and clay, processed soil storage stockpile in watertight sea containers and filtration of decanted water for removal of suspended solids.
2. Non-hazardous flocculant agent (JNE 3003, a polymeric flocculant composed of polyacrylamide) included in the Design and Operations Report included as Item 2 in Schedule "1" or other non-hazardous polymer and coagulants approved for use in the water clarification process, which are not specified in the Design and Operations Report, shall only be used for separation of silt and clay from Liquid Soil and decanted effluent after obtaining approval from the District Manager.

14. Receiving and Storage Limits

1. The amount of Liquid Soil received at the Site shall not exceed 180 cubic metre per day.
2. The amount of waste present at the Site at any one time shall not exceed the following:
 - a. 76 cubic metre of unprocessed Liquid Soil;
 - b. 540 cubic meter of processed soil including debris.
 - c. 540 cubic meter of decanted effluent in watertight sea containers.
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.

15. Soil Receipt and Handling

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 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.
3. 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:
 - a. the name of the company that brought the rejected load to the Site;
 - b. the license plate number of the vehicle that brought the rejected load to the Site;
 - c. a description of the rejected waste and the reason for rejecting the shipment; and
 - d. the destination of the rejected waste if the driver provides that information.
4. If any unacceptable waste is discovered on Site, that waste shall be segregated and immediately disposed of in accordance with the EPA and Regulation.
5. All Liquid Soil shall be unloaded directly into watertight sea container/bin for inspection and then transfer to a feed hopper in a manner that prevents spills during transfer.
6. The Owner shall ensure that:
 - a. no process or decanted water is loaded onto trucks for reuse purposes until the decanted water is sampled and tested as per Condition 25 and the Design and Operations Report included as Item 2 of Schedule"1";
7. Processes soil shall not be stored (stockpiled) within 30 m of waterbody and 10 m of the property boundary.
8. Soil and aggregate recovered from processing of Liquid Soil shall be stored outdoors in sea containers as per Figure 2 of the Design and Operations Report included as Item 2 in Schedule"1".

9. The Owner shall ensure the following to minimize impacts from wind-blown dust:
 - a. cloth barrier material is attached to all perimeter fencing, or other barriers such as concrete blocks or acoustic barriers are employed in a manner that prevents off-site impacts from wind-blown dust;
 - b. the site is regularly wet-swept clean using water from the municipal or on-site water supply source.
10. Soils that have been tested shall remain segregated from all other soils on-site.
11. Processed soils to be sent off-site for reuse or disposal to a licensed facility shall not exceed daily limit of 1,000 tonnes.

16. Soil Sampling, Analysis and Reuse

1. No processed soil shall leave the Site for reuse unless it has been sampled, analysed and managed in accordance with the following:
 - a. The Owner shall ensure that 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 or Section B of Part I of the Soil Rules.
 - b. The Owner shall ensure that discrete samples of the processed soil or dewatered soil are taken and analysed for:
 - i. metals;
 - ii. hydride-forming metals;
 - iii. petroleum hydrocarbons (PHCs) [F1 to F4];
 - iv. Benzene, toluene, ethylbenzene, xylene (BTEX);
 - v. Sodium adsorption ratio (SR) and electrical conductivity (EC);
 - vi. Volatile organic compounds (VOC); and
 - vii. Semi-volatile organic compounds (SVOC) including polychlorinated biphenyls (PCB).
 - c. The Owner shall ensure that each processed soil load leaving the Site is tested in accordance with Schedule 9 of Reg. 347 (Test Method for the Determination of Liquid Waste 'slump test') to ensure the processed soil is solid.
 - d. 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.
 - e. Should the receiving site be subject to the requirements set out in Ontario

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.

- f. Sampling procedures, including methods, equipment and techniques for collection of representative samples and procedures for handling of the samples shall be in accordance with the requirements set out in the Section B of Part I of the Soil Rules and in accordance with the instructions of the accredited laboratory service provider carrying out the analytical testing.
 - g. 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.
 - h. 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.
 - i. 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.
 - j. 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.
 - k. The Owner shall maintain a Quality Assurance/Quality Control (QA/QC) program for sampling and analysis of wastes, as required by this Approval, and shall make the results of the QA/QC program, including all analyses carried out by an accredited laboratory service provider, available for inspection upon request by the District Manager, the Director and any Provincial Officer.
2. Before shipping any soil from the Site to a receiving property (that is, a property other than a waste disposal site approved under Part V of the EPA), the Owner shall require the following:
- a. a record of the receiving property owner's name and/or Owner name, contact

information, receiving site address, any correspondence with the receiving property, and the quantity of soil or soil-like waste being sent to the receiving property;

b. written confirmation from the Qualified Person that they:

i. have assessed the receiving property;

ii. have identified the applicable soil quality standards for the receiving property as required by the local municipality, the local Conservation Authority, any applicable provincial/federal legislation, or (in the absence of such requirements) as recommended by the Qualified Person;

iii. have reviewed the test results for the soil and agree that the testing is sufficient to establish compatibility of the waste with the receiving property and that the waste meets the criteria for the receiving waste set out in Condition 16(2) above; and

iv. agree that the soil quantity and quality meet the requirements of the fill management plan for the receiving property.

c. written confirmation from the receiving property owner that the soil quality and quantity to be provided is appropriate to the receiving property based on the recommendation of the Qualified Person, and that the receiving property agrees to accept it.

3. The Owner shall ensure that all written records for each load of soil, including but not limited to Qualified Person statements, analytical results and receiving site written confirmation, shall be maintained on Site for a minimum of five (5) years, and shall be made available to a Provincial Officer upon request.

17. Signage and Security

1. 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:

a. the name of the Site and Owner;

b. this Approval number;

c. the name of the Operator;

d. the normal hours of operation as described in Condition 10(1) above;

e. the allowed materials that may be accepted at the Site, and any materials explicitly prohibited by conditions of this Approval;

f. a telephone number to which complaints may be directed; and

- g. a twenty-four (24) hour emergency telephone number (if different from above).
- 2. The Site shall be operated and maintained in a secure manner, such that unauthorized persons cannot enter the Site.

18. Design and Operations Report

- 1. The Design and Operations Report shall be kept up-to-date, with any changes to the Design and Operations Report requiring approval being submitted to the Director for approval prior to implementation.
- 2. Changes to the Site's operations that:
 - a. do not require an amendment to this Approval under Section 27 of the EPA shall be recorded in a revisions tracking log in the Design and Operations Report and submitted to the District Manager for record keeping; and
 - b. require an amendment to this Approval under Section 27 of the EPA shall not be implemented on-site or included in the Design and Operations Report until they have been approved by the Director.
- 3. An updated Design and Operations Report, including the revisions tracking log noted above, shall be submitted with all future Environmental Compliance Approval applications for the Site.
- 4. The Design and Operations Report shall be retained at the Site and available for inspection by a Provincial Officer upon request.

19. Staff Training

- 1. The Owner shall maintain a training plan to be used to train all employees that operate the Site.
- 2. 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 dry excess soils, liquid soils, aggregate, processed soils and process water at the Site.

20. Site Inspection

- 1. An inspection of the entire Site and all equipment on the Site shall be conducted each day the Site is in operation to ensure that:
 - a. the Site is secure;
 - b. the operation of the Site is not causing any nuisances;
 - c. the operation of the Site is not causing any adverse effects on the environment; and

d. the Site is being operated in compliance with this Approval.

2. 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.

21. Nuisances

1. The Site shall be operated and maintained such that vermin, vectors, dust, litter, odour, noise and traffic do not create a nuisance. The Owner shall implement the nuisance control measures noted in the application for this Approval as required to address any nuisances.

22. Complaint Response

1. 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:
 - a. The Owner shall record and number each complaint, either electronically or in written form in a log book, along with the following information:
 - i. the nature of the complaint;
 - ii. the name, address and telephone number of the complainant (if provided);
 - iii. the date and time the complaint was received;
 - iv. a description of the weather conditions at the time of the complaint;
 - v. a description of the liquid soils, processed soils and process water handling activities taking place at the time of the complaint; and
 - vi. a description of the known or suspected activity causing the complaint.
 - b. The Owner shall:
 - i. initiate appropriate steps to determine all possible causes of the complaint;
 - ii. proceed to take the necessary actions to eliminate the cause of the complaint;
 - iii. notify the District Manager of the complaint within one business day of receiving the complaint;
 - iv. 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

v. forward daily updates to the District Manager, if requested, until the complaint is resolved.

c. The Owner shall complete and retain on-site a report written within 10 business days of the complaint date, including:

i. the information required in conditions 22(1 a & b) above;

ii. a list of the actions taken to resolve the complaint; and

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

23. Spill and Emergency Response Plan

1. The Owner shall promptly take all necessary steps to contain and clean up any spills or upsets which result from this operation.
2. All spills, as defined in the EPA, shall be immediately reported to the Ministry's Spill Action Centre at 1-800-268-6060.
3. The Owner shall prepare and provide copies of an emergency response plan to the local Fire Department within 30 days of the issuance of this Approval, and shall inform the District Manager in writing within 10 days of receiving acceptance of the plan by the local Fire Department.
4. The emergency response plan shall be kept up to date, and a copy shall be retained and accessible to all staff at all times.
5. 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.
6. 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.
7. 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.

24. Surface Water Management

1. The Owner shall manage all discharges from this Site, including storm water run-off in accordance with appropriate municipal, provincial and/or federal legislation, regulation and by-laws.

2. c. The Owner shall ensure that waste and soil stored outdoors does not come into contact with precipitation, and that stormwater runoff from the Site is not contaminated with waste stored on Site.

25. Decanted Effluent Management

1. The Owner shall ensure that:
 - a. no process water (decanted effluent)) is loaded onto hydrovac trucks for reuse unless dewatering/decanted effluent is tested for metals, VOCs, PHC and PAHs and meets Table 2, O. Reg. 153/04, as amended as per Item 2 of Schedule"1";
 - b. no process water (decanted effluent) is permitted to be discharged directly 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
 - c. all process water (decanted effluent) 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.

26. Log Book/Record Keeping

1. A daily log shall be maintained at the Site, either electronically or in written format, and shall include the following information as a minimum:
 - a. the date;
 - b. quantities and sources of all waste received at the Site;
 - c. estimated quantities of all stockpiled soil on-site at the end of each operating day;
 - d. quantities and destinations of all Liquid Soil, processed soil, process water, rock and debris shipped from the Site;
 - e. a record of all sampling and analysis carried out further to the conditions of this Approval;
 - f. a record of daily inspections required by this Approval;
 - g. 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.

- h. a record of any refusals, including the types and amounts of waste refused, reasons for refusal and actions taken;
- i. a record of all complaints received regarding operations at the Site.

27. Reporting

1. A written report on the development, operation and monitoring of the Site, shall be completed annually (the "Annual Report"). The Annual Report shall be submitted to the District Manager, by April 30th of the year following the period being reported upon and the first such report is due on April 30th, 2026. The Annual Report shall include but not be limited to the following information:
 - a. 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 Soil, processed soils, process water, rock and debris along with a summary of all sampling and analysis for outgoing materials;
 - b. 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;
 - c. any changes to the emergency response plan or the Design and Operations Report since the last Annual Report;
 - d. Any recommendations to minimize environmental impacts from the operation of the Site and to improve Site operations and monitoring programs in this regard.
 - e. any changes in operations, equipment, or procedures used at the Site, any operating problems encountered and corrective actions taken;
 - f. details on the monitoring program undertaken, outlining monitor locations, analytical parameters sampled, and frequency of sampling;
 - g. an analysis and interpretation of the surface water and groundwater chemical quality data, a review of the adequacy of the monitoring program, conclusions of the monitoring data, and recommendations for any changes that may be necessary;
 - h. summary of inspections undertaken at the Site;
 - i. summary of any public complaints received and the responses made;
 - j. a statement as to compliance with all conditions of this Approval and the other relevant Ministry's groundwater and surface water requirements;

28. Closure Plan

1. 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.
2. The Site shall be closed in accordance with the approved Closure Plan.
3. 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.

REASONS

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

1. Definitions

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.

Terms and Conditions

The reason for Conditions 1, 3, 4, 5, and 8 to clarify the legal rights and responsibilities of the Owner and Operator.

The reason for Condition 2 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.

The reasons for Condition 6(1) 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.

The reasons for Condition 6(2) 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.

The reason for Condition 7 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.

The reason for Condition 9 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.

The reason for Condition 10 is to specify the hours of operation for the Site.

The reason for Condition 11 is to specify the approved service area from which waste may be accepted at the Site.

The reasons for Conditions 12, 13 and 14 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.

The reason for Condition 15 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.

The reasons for Condition 16 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.

The reason for Condition 17(1) 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.

The reason for Condition 17(2) 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.

The reason for the condition 18 is to ensure the Design and Operations Report is maintained, up-to-date and available at the Site at all times and to ensure that any changes to the Report are done with prior approval from the Ministry.

The reason for Conditions 19 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.

The reason for Condition 20 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.

The reason for Condition 21 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.

The reason for Condition 22 is to ensure that any complaints regarding Site operations at the Site are responded to in a timely manner.

The reasons for Condition 23 is to ensure that an Emergency Response Plan and a Fire Safety Plan are 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.

The reason for Conditions 24 is to ensure that surface water from the Site is properly managed and does not pose an impact to the environment.

The reason for Conditions 25 is to ensure that sampling and testing of wastewater generated at the Site is carried out in accordance with prescribed standards and accepted practice, and managed in accordance with the applicable regulatory framework.

The reason for Condition 26 is to ensure that accurate waste records are maintained to ensure compliance with the conditions in this Approval, and those detailed records of Site inspections are recorded and maintained for inspection and information purposes.

The reason for Condition 27 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.

The reason for Condition 28 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.

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:

1. 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;
2. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The Notice should also include:

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

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

This Notice must be served upon:

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

and

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

and

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

*** Further information on the Ontario Land Tribunal's requirements for an appeal can be**

obtained directly from the Tribunal at: Tel: (416) 212-6349 or 1 (866) 448-2248, or [Ontario Land Tribunal's](#)

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 [Environmental Registry of Ontario](#), 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 26th day of February, 2025



Mohsen Keyvani

Director

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

c: Declan Kelly, AQUA-CLEAN ENVIRONMENTAL INC.
Bailey Walters, Grounded Engineering Inc.

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

SCHEDULE 1

1. Environmental Compliance Approval application dated September 23, 2024.
2. Design and Operation Report, Grounded Engineering Inc., dated September 20, 2024, revised on January 28, 2025.