

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 7469-CH8SBD

Issue Date: November 30, 2022

Lamoureux Pumping Inc.  
758 Rte 400 E  
Casselman, Ontario  
K0A 1M0

Site Location: 2251 County Road 8  
The Nation Municipality, United Counties of Prescott and  
Russell  
K0A 1M0

*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 for the establishment, use and operation of two (2) 200 m<sup>3</sup> concrete underground storage tanks within a site area of 1.425 hectares,

to be used for the receipt, temporary storage and transfer of the following types of waste:

liquid organic wastes, limited to clean blood and water from slaughterhouses, organic waste from grease traps/interceptors, and whey and milk washwater from industrial, commercial and institutional sources.

Note: Use of the site for any other type of waste is not approved under this environmental compliance approval, and requires obtaining a separate approval amending this environmental compliance approval.

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

"Adverse Effect" as defined in the EPA;

"Animal Blood Waste" means waste related to an animal with an Infectious Substance and that is,

- (a) liquid or semi-liquid animal blood or blood products,
- (b) items saturated with liquid or semi-liquid animal blood products,
- (c) body fluids visibly containing animal blood, or
- (d) body fluids removed in the course of surgery, treatment or necropsy of an animal, other than urine, feces or milk unless visibly containing animal blood;

"Approval" means this Environmental Compliance Approval and any Schedules to it, including the

application and supporting documentation listed in Schedule 1;

"Director" means a person appointed by the Minister pursuant to section 5 of the EPA for the purposes of Part II.1 of the EPA;

"District Manager" means the District Manager of the appropriate local district office of the Ministry where the Site is geographically located or such other official of the Ministry as may be assigned the duties of the District Manager;

"EASR" means the Environmental Activity and Sector Registry;

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

"Financial Assurance" is as defined in Section 131 of the EPA;

"Foreign Matter" within the context of this Approval means materials that include but are not limited to glass, metallic objects, plastic and other foreign objects that are not typically considered naturally occurring;

"IC&I" means industrial, commercial and institutional;

"Infectious Substance" means, a disease listed in,

- a. Schedule VII of the Health of Animals Regulations made under the Health of Animals Act (Canada) as amended, or
- b. the Reportable Diseases Regulations made under the Health of Animals Act (Canada) as amended;

"Ministry" means the ministry of the government of Ontario responsible for the EPA and OWRA and includes all officials, employees or other persons acting on its behalf;

"NASM" means non-agricultural source materials as defined in and within the meaning of O. Regulation 267/03;

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

"O. Regulation 267/03" means Ontario Regulation 267/03, General, made under the NMA, as amended;

"Owner" means Lamoureux Pumping Inc. that is responsible for the establishment and operation of the Site being approved by this Approval, and includes any 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;

"Professional Engineer" means a Professional Engineer as defined within the *Professional Engineers Act*, R.S.O. 1990, c. P.28, 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 the SDWA;

"PWQO" means the Provincial Water Quality Objectives included in the Ministry Guideline entitled "Water Management - Policies, Guidelines, Provincial Water Quality Objectives of the Ministry of the Environment" dated July 1994;

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

"Rejected Waste" means the incoming load inadvertently received at the Site and deemed by the Owner to be waste that does not meet the incoming waste quality criteria set out in this Approval or that cannot be processed;

"Sampling and Analysis Protocol" means the document entitled "Sampling and Analysis Protocol for Ontario Regulation 267/03 made under the *Nutrient Management Act, 2002*", prepared by the Ministry of Agriculture, Food and Rural Affairs and the Ministry of the Environment, Conservation and Parks and dated July 1, 2021;

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

"Site" means the waste disposal site located at 2251 County Road 8, The Nation Municipality, United Counties of Prescott and Russell and as shown in the supporting documentation listed in the attached Schedule 1;

"Spill" is as defined in the EPA; and

"Trained Personnel" means one or more Site personnel trained in accordance with the requirements of Condition 28 including an employee trained or knowledgeable through instruction and/or practice and able to carry out any necessary duties related to management of the waste as approved in this Approval.

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

## **TERMS AND CONDITIONS**

### **1. COMPLIANCE**

1. The Owner 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. CONSTRUCTION of the SITE**

1. Except as otherwise provided by this Approval, the Site shall be designed, developed, built, operated and maintained in accordance with the documentation listed in the attached Schedule 1.
2. The Site shall be constructed and the approved equipment shall be installed and must commence operation, within five (5) years of issuance of this Approval, after which time the Approval ceases to apply in respect of any portions of the Site not in operation. In the event that the construction, installation and/or operation of any portion of the Site is anticipated to be delayed beyond the time period stipulated, the Owner shall submit to the Director an application to amend the Approval to extend this time period, at least six (6) months prior to the end of the period. The amendment application shall include the reason(s) for the delay and whether there is any design change(s).
3. A set of as-built drawings, certified by a Professional Engineer and showing the design of the Site, shall be kept at the Site at all times.

## **3. INTERPRETATION**

1. Where there is a conflict between a provision of any document listed in Schedule 1 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 document 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, the document bearing the most recent date shall take precedence.
4. The conditions of this Approval are severable. If any condition of this Approval, or the application of any condition of this Approval to any circumstance, is held invalid or unenforceable, the application of such condition 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 the conditions of 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; or
- b. limit in any way the authority of the Ministry to require certain steps be taken or to require the Owner to furnish any further information related to compliance with this Approval.

## **5. ADVERSE EFFECT**

1. The Site shall be constructed, operated and maintained in a manner which ensures the health and safety of all persons and prevents generation of negative environmental impacts including but not limited to dust, odours, vectors, pests, birds, litter, vibration, noise and any other negative environmental effects that may cause an Adverse Effect.
2. If at any time dust, odours, vectors, pests, birds, litter, vibration, noise or other such negative environmental effects are generated at the Site and cause an Adverse Effect, the Owner shall take immediate and appropriate remedial action(s) that is/are necessary to alleviate the Adverse Effect, including suspension of all waste management activities and removal of waste from the Site, if necessary.
3. The Owner shall take steps to minimize and ameliorate any Adverse Effect on the natural environment or impairment of water quality resulting from the Site, including such steps as accelerated or additional monitoring as may be necessary to determine the nature and extent of the effect or impairment.
4. Despite an Owner 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 to the natural environment or impairment of water quality.
5. At no time shall the Owner allow the discharge of a contaminant that causes or is likely to cause an Adverse Effect.

## **6. CHANGE OF OWNER**

1. The Owner shall notify the District Manager and the Director, in writing, of any of the following changes within thirty (30) days of the change occurring:
  - a. change of address of Owner;
  - b. change of Owner, including address of new owner;
  - c. change of partners where the Owner is or at any time becomes a partnership, and a copy of the most recent declaration filed under the *Business Names Act, R.S.O. 1990, c. B.17* shall be included in the notification;
  - d. change of name of the corporation and a copy of the most current information filed under the *Corporations Information Act, R.S.O. 1990, c. C.39* shall be included in the notification;
  - e. change of address of the Operator; and
  - f. change of the Operator, including address of the new Operator.
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.

3. In the event of any change in ownership of the Site, other than change to a successor Owner, the Owner shall notify the successor of and provide the successor with a copy of this Approval, and the Owner shall provide a copy of the notification to the District Manager and the Director.

## **7. INSPECTIONS by the MINISTRY**

1. No person shall hinder or obstruct a Provincial Officer from carrying out any and all inspections authorized by the OWRA, the EPA, the PA, the SDWA or the NMA of any place to which this Approval relates, and without limiting the foregoing:
  - a. to enter upon the premises where the approved processing is undertaken, or the location where the records required by the conditions of this Approval are kept;
  - b. to have access to, inspect, and copy any records required to be kept by the conditions of this Approval;
  - c. to inspect the Site, related equipment and appurtenances;
  - d. to inspect the practices, procedures, or operations required by the conditions of this Approval;
  - e. to conduct interviews with staff, contractors, agents and assignees of the Owner; and
  - f. to sample and monitor for the purposes of assessing compliance with the terms and conditions of this Approval or the EPA, the OWRA, the PA, the SDWA or the NMA.

## **8. INFORMATION and RECORDS RETENTION**

1. Any information requested by the Ministry, concerning the operation of the Site and its operation under this Approval, including but not limited to any records required to be kept by this Approval shall, upon request, be provided to the Ministry in a timely manner and in a format specified by the Ministry.
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.
3. The Owner shall ensure that a copy of this Approval, in its entirety and including all its Notices of Amendment, and the documentation listed in Schedule 1, are retained at the Owner's office at all times.
4. All records and monitoring data required by the conditions of this Approval must be kept at the Site, available for review by a Provincial Officer, for a minimum five (5) year period from the date of their creation.

## **9. FINANCIAL ASSURANCE**

1. Within thirty (30) days from the date of this Approval, the Owner shall submit to the Director, Financial Assurance, as defined in Section 131 of the EPA in the amount of \$40,728.75. This Financial Assurance shall be in a form acceptable to the Director and shall provide sufficient funds for the analysis, transportation, Site clean-up, monitoring and disposal of all quantities of waste on the Site at any one time.
2. Commencing on September 30, 2027 and at intervals of five (5) years thereafter, the Owner shall submit to the Director, a re-evaluation of the amount of Financial Assurance to implement the actions required under Condition 9.1. The re-evaluation shall include an assessment based on any new information relating to the environmental conditions of the Site and shall include the costs of additional monitoring and/or implementation of contingency plans required by the Director upon review of the closure plan and annual reports. The Financial Assurance must be submitted to the Director within thirty (30) calendar days of written acceptance of the re-evaluation by the Director.
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 sixty (60) days before the Financial Assurance terminates, the Financial Assurance shall forthwith be replaced by cash.

## **10. OTHER APPROVALS**

1. The Owner shall ensure that the Site is not operated unless all approvals for the activities set out in Section 9 of the EPA, where applicable, have been obtained.
2. The Owner shall ensure that no discharges from the Site to the natural environment, other than air, are occurring unless all approvals for the activities set out in Section 53 of the OWRA, where applicable, have been obtained.

## **11. SIGNS and SECURITY**

1. The Owner shall maintain sign(s) at the entrance to the Site. The sign(s) shall be visible and readable from the main road leading to the Site. The following information shall be included on the sign(s):
  - a. name of the Owner;
  - b. this Approval number;
  - c. hours during which the Site is open;
  - d. waste types that are approved to be accepted at the Site;
  - e. Owner's telephone number to which complaints may be directed;
  - f. Ministry's telephone number to which complaints may be directed;
  - g. Owner's twenty-four hour emergency telephone number (if different from above);
  - h. a warning against unauthorized access; and

- i. a warning against dumping at the Site.
2. The Owner shall ensure that appropriate and visible signs are installed and maintained at the Site:
  - a. to direct vehicles to the waste receiving areas and waste removal areas; and
  - b. to clearly state any warnings about the nature and any possible hazards of the waste.
3. The Owner shall ensure that the storage tanks are fenced in and secured by lockable gates to restrict access only to authorized personnel when the Site is not open.
4. The Site shall be operated and maintained in a secure manner. During non-operating hours, the storage tank gates shall be locked and secured against access by unauthorized persons.
5. The Owner shall ensure that the Site is operated in a safe and secure manner, and that all waste is properly handled, contained, stored and labelled so as not to pose any threat to the general public and the Site personnel.

## **12. SERVICE AREA and APPROVED WASTE TYPES**

1. This Site is approved to accept waste generated from IC&I sources within the Provinces of Ontario and Quebec.
2. The Site is limited to the receipt of liquid waste, limited to the following liquid waste types:
  - i. fresh, clean, non-infectious blood and water from slaughterhouses;
  - ii. organic waste matter from grease traps and interceptors used for the treatment of wastewater from food or feed processing or preparation facilities; and
  - iii. whey and milk washwater from cleaning the processing equipment and the surrounding area in a facility for processing dairy products.
3. The site is prohibited from accepting Animal Blood Waste.

## **13. WASTE RATES**

1. The Owner is approved to receive the waste in quantities that are not to exceed:
  - a. 180 m<sup>3</sup> per day; and
  - b. 10,400 m<sup>3</sup> per year.

## **14. OPERATING HOURS**

1. The Site shall be operated from:
  - 5:00 am to 9:00 pm Monday through Friday; and
  - 5:00 am to 5:00 pm on Saturday,  
unless otherwise limited by municipal by-laws.

## **15. APPROVED WASTE MANAGEMENT ACTIVITIES**



1. The following waste activities are approved under this Approval:
  - a. receipt and temporary storage of the approved waste in the two underground storage tanks;
  - b. waste blending and mixing in the two underground storage tanks; and
  - c. transfer of the waste off-site.

## **16. INCOMING WASTE RECEIPT**

1. The Owner shall establish and implement a tracking system for all waste received and stored at the Site.
2. The Owner shall establish and implement a waste screening system to require all waste arriving at the Site to be accompanied by the required characterization documentation.
3. The Trained Personnel shall inspect the waste characterization documentation to ensure that only waste that is approved under this Approval is received at the Site.
4. The incoming waste load shall not be accepted at the Site and shall be immediately be directed off-Site, if,
  - a. the required characterization results documentation cannot be provided by the waste truck driver, as set out in Condition 22; or
  - b. the analysis of the waste shows that the required quality criteria requirement described in Condition 22 has not been met or fulfilled.
5. The Owner shall only accept the incoming waste that is delivered in vehicles that have been approved by the Ministry or registered on the EASR, as required.
6. In the event that the Owner becomes aware that a Rejected Waste has been inadvertently accepted at the Site and inputted into a storage tank, the Owner shall immediately remove the Rejected Waste from the Site in accordance with Regulation 347 and the EPA. The Rejected Waste shall be shipped to a site approved by the Ministry to accept such waste for further processing/treatment or final disposal or to a site approved to accept such waste by an equivalent jurisdiction

## **17. WASTE STORAGE and BLENDING**

1. Storage of the waste at the Site shall not exceed  $400 \text{ m}^3$ , at any one time.
2. The secondary spill containment area shall provide for a minimum storage volume of approximately  $268 \text{ m}^3$ .
3. The Owner shall check to ensure that sufficient storage capacity is available in the storage tanks prior to unloading of the waste from the transport vehicles into the storage tanks.
4. The Owner shall equip each of the storage tanks with a mixer, a temperature sensor, a liquid level

monitoring device and a high level audible/visual alarm.

5. In the event that the waste cannot be transferred from the Site and the Site is at its approved waste storage capacity, the Owner shall cease accepting additional waste. Receipt of additional waste may be resumed once such receipt complies with the waste storage limitations approved in this Approval.
6. Prior to first receipt of the waste at the Site, the Owner shall inspect the storage tanks and secondary spill containment area to evaluate their structural integrity.
7. Commencing in the year 2038 and every ten years thereafter, the storage tanks are to be leak-tested, drawn-down, and visually inspected to evaluate the structural integrity of the storage tanks.

## **18. LOADING/UNLOADING**

1. The Owner shall ensure that all waste is transferred to and from the storage tanks via cam-lock connections to minimize and prevent spills.
2. Loading/unloading of waste shall be carried out on the two (2) impermeable concrete loading/unloading ramps, which are sloped at a minimum of 1.5% to a drain that discharges directly to the secondary spill containment tank.
3. The Owner shall ensure that a drip tray is placed under the cam-lock connection when the waste is being transferred to and from storage tanks.

## **19. WASTE TRANSFER from the SITE**

1. The Owner shall establish and implement a tracking system for all waste shipped from the Site.

## **20. EQUIPMENT and SITE INSPECTIONS**

1. Within thirty (30) days from the issuance of this Approval or as acceptable to the District Manager, the Owner shall prepare a comprehensive written inspection program which includes procedures for inspections of all aspects of the Site operations, including the following:
  - a. condition of the waste loading/unloading and spill containment areas;
  - b. condition of all major pieces of the equipment;
  - c. condition of all instruments for monitoring required under this Approval;
  - d. condition of the security fence and lock;
  - e. condition of the on-site roads for evidence of excessive erosion and fugitive dust emissions;
  - f. presence of fugitive odour emissions from the operation of the Site;
  - g. presence of the on and off-Site litter
  - h. presence of contamination in the observation well (excessive turbidity, unusual colour, unusual odour, or any other signs of contamination) via daily visual and olfactory inspections to confirm that the underground storage tanks are leak-free; and

- i. presence of mud-tracking off-site.
2. The inspection program shall be up-dated, as required, shall be retained at the Site and be made available for inspection by a Provincial Officer, upon request.
3. For each day the Site is open, the Owner shall ensure that the Trained Personnel carries out the required Site inspections in accordance with the inspection program to ensure that all equipment and facilities at the Site are maintained in good working order at all times and that no off-Site impacts are occurring. Any deficiencies detected during these regular inspections must be promptly corrected.

## **21. EQUIPMENT and SITE MAINTENANCE**

1. The Owner shall ensure that the Site and related waste management equipment and appurtenances which are installed or used to achieve compliance with this Approval are properly operated and maintained in accordance with the manufacturer's requirements.

## **22. TESTING and QUALITY CRITERIA of the INCOMING WASTE**

1. The Owner shall ensure that the incoming waste from each source complies with the maximum metal concentrations set out in column 2 or 3, as applicable, of Table 1 of Schedule 5 of O. Regulation 267/03.
2. The Owner shall ensure that prior to its first acceptance of a given new incoming waste, the incoming waste is characterized during the 14-day period preceding its first-time receipt at the Site.
3. If the Owner relies on the published data for the well-studied/characterized incoming waste, the latest published information shall be used to confirm that the characteristics of the incoming waste to be received at the Site are in compliance with the incoming waste quality criteria required under this Approval.
4. If the published data is not available or used to confirm compliance of the incoming waste with the metal quality criteria from this Approval, the Owner shall collect samples as follows to confirm that the characteristics of the incoming waste to be received at the Site are in compliance with the incoming waste metal quality criteria required under this Approval:
  - a. for the initial characterization, a minimum of one (1) composite sample from the proposed incoming waste stream, composed of no less than five (5) sub-samples; and
  - b. following the initial characterization of the incoming waste, one (1) composite sample every 1,000 m<sup>3</sup> of the given waste or once a year, whichever comes first, provided the said waste is of the same type and is from the same source. If, after the first twelve (12) months of sampling and analysis, the results are consistent and continuously below the prescribed limits, one (1) composite sample shall be conducted for the given waste once a year or

following any process changes, operational issues or other factors that may affect the quality of the said waste. Each composite sample shall be composed of no less than five (5) sub-samples.

5. The Owner shall ensure that each sample of the incoming waste has been analysed for metals listed in column 1 of Table 1 of Schedule 5 of O. Regulation 267/03, in accordance with the methods and frequencies specified in this Approval.
6. The Owner shall ensure a copy of the analysis sets out the metal concentration in each waste in:
  - a. milligrams of metal per kilogram of total solids, dry weight, in case of the analysis of metals in materials that have a concentration of total solids of 10,000 milligrams or more per litre; and
  - b. milligrams of metal per litre, in the case of the analysis of regulated metals in materials that have a concentration of total solids of less than 10,000 milligrams per litre.
7. The analysis of samples of the incoming wastes shall be performed in accordance with the Sampling and Analysis Protocol and by:
  - a. a laboratory that is accredited by the Ministry of Agriculture, Food and Rural Affairs for that purpose; or
  - b. a laboratory that is accredited in accordance with the International Standard ISO/IEC 17025 - General Requirement for the Competence of Testing and Calibration Laboratories, dated December 15, 1999, as amended from time to time.
8. The incoming waste shall not be accepted at the Site if the analytical requirements listed in this Approval have not been fulfilled or if the analysis of the said waste as described in this Approval determines that the metal content in the said waste exceeds the metal content limits set out in Paragraph 1.
9. In order to resume accepting a given waste following previous rejection, the Owner shall ensure that the analytical requirements listed in this Approval have been fulfilled and that two (2) independent composite sampling events of the said waste generate analytical results which, separately and consecutively, do not exceed the metal content limits set out in Paragraph 1.
10. Should results of testing of the incoming waste fail to meet the quality criteria specified in this Approval, the said waste shall be handled in accordance with the Contingency and Emergency Response Plan.

## **23. END-USE of WASTE**

1. The waste shall only be shipped to a site approved by the Ministry to accept such waste for further processing/treatment or final disposal or to a site approved to accept such waste by an

equivalent jurisdiction.

2. The waste shall only be removed from the Site by a hauler approved by the Ministry to transport such waste, or registered on the EASR, as required.
3. Any stormwater and/or spills collected within the secondary containment tank shall be discharged into the two (2) storage tanks OR hauled to a site approved by the Ministry to accept that wastewater for further processing/treatment/reuse or to a site approved to accept such wastewater by an equivalent jurisdiction.

#### **24. VERMIN, VECTORS, DUST, LITTER, ODOUR, NOISE and TRAFFIC**

1. The Owner shall visually inspect the vehicles delivering waste to and from the Site for evidence of leaking or dripping waste. The Owner of the vehicles that leak shall be given a written notice of the presence of the leak. The notice shall include the vehicle owner's name, the vehicle Environmental Compliance Approval number, the type of waste delivered to the Site and the date of the delivery. A copy of the notice shall be provided to the Ministry within one (1) week.
2. The Owner shall ensure that there is no queuing or parking of vehicles that are waiting to enter the Site on any roadway that is not a distinct part of the Site.
3. The Owner shall control fugitive dust emissions from the on-site roads. If necessary, the major sources of dust shall be treated with water and/or dust suppression materials to minimize the overall dust emissions from the Site.
4. The Owner shall ensure that reasonable efforts are made to keep the access road used by vehicles to leave the Site, free of mud, dirt and waste.
5. The Owner shall:
  - a. implement necessary housekeeping procedures to eliminate sources of attraction for vermin, vectors and birds; and
  - b. if necessary, hire a qualified, licensed pest control professional to design and implement a pest control plan for the Site. The pest control plan shall remain in place, and be updated from time to time as necessary, until the Site has been closed and this Approval has been revoked.
6. The Owner shall prevent the escape of litter from the Site and pick up litter around the Site as necessary.
7. The Owner shall take all necessary measures to minimize noise emissions from all potential sources at the Site, as proposed in the supporting documentation listed in the attached Schedule 1.
8. The Owner shall immediately remove any waste that is verified to be causing off-site odours and

complaints under Condition 25.1.

## **25. COMPLAINT MANAGEMENT**

1. If at any time the Owner receives complaints regarding the operation of the Site, the Owner shall respond to these complaints according to the following procedure:
  - a. The Owner shall record and number each complaint, either electronically or in a log book, and shall include the following information: the nature of the complaint, the name, address and the telephone number of the complainant if the complainant will provide this information and the time and date of the complaint;
  - b. The Owner, upon notification of the complaint, shall immediately notify the District Manager of the complaint and initiate appropriate steps to determine all possible causes of the complaint, proceed to take the necessary actions to eliminate the cause of the complaint (including the immediate removal of the odourous waste) and forward a formal reply to the complainant; and
  - c. The Owner shall complete and submit a report to the District Manager within one (1) week of the complaint date, listing the actions taken to resolve the complaint and any recommendations for remedial measures, and managerial or operational changes to reasonably avoid the recurrence of similar incidents.
2. If the District Manager deems the remedial measures taken as per Paragraph 1 to be unsuitable, insufficient or ineffective, the District Manager may direct the Owner, in writing, pursuant to the remedial order section (s.17) or the preventative measures order section (s.18) of the EPA to take further measures to address the noted failure, upset or malfunction, including but not limited to the following:
  - a. reduction in the receipt of waste;
  - b. cessation of the receipt of the waste;
  - c. removal and off-site disposal of waste; and
  - d. repairs or modifications to the equipment or processes at the Site.

## **26. CONTINGENCY and EMERGENCY RESPONSE PLAN**

1. Prior to the receipt of any waste at the Site, the Owner shall prepare and implement a Contingency and Emergency Response Plan for the operations under this Approval. The Plan shall include, but is not limited to, the following:
  - a. a Site plan clearly showing all waste management areas, equipment layout and all storage areas for wastes, on-site catch basins and nearby watercourses;
  - b. a list of Site personnel responsible for the implementation of the contingency measures and various emergency response tasks and their training requirements;
  - c. a list of equipment and materials required for the implementation of the contingency measures and the emergency situation response;
  - d. maintenance and testing program for equipment required for the implementation of the contingency measures and the emergency situation response;
  - e. emergency response procedures to be undertaken in the event of a spill, process upset, power failure, flood, fire or any other emergency situation, including specific clean-up methods for wastes expected to be generated from the emergency situation;
  - f. notification protocol, with names and telephone numbers of persons to be contacted,

including the Owner, the Site personnel, the Ministry's District Office and Spills Action Centre, the local Fire and Police Departments, the local Medical Officer of Health, the Ministry of Labour, and waste management companies available for emergency response;

- g. procedures and actions to be taken should the incoming Waste not meet the applicable quality criteria specified in this Approval arrive at the Site;
  - h. procedures and actions to be taken should the waste that does not meet the applicable quality criteria specified in this Approval be inadvertently be accepted at the Site and inputted into the storage tanks;
  - i. procedures and actions to be taken should the waste fail to meet the criteria required by the receiving sites;
  - j. procedures and actions to be taken should the current disposal options for the outgoing waste become unavailable;
  - k. procedures and actions to be taken should the occurrence of odour complaints require the Owner to implement additional odour control measures;
  - l. procedures and actions to be taken should the occurrence of odour complaints require the Owner to suspend the waste receiving activities at the Site; and
  - m. description of the preventative and control measures to minimize the occurrence or impacts of any of the above incidents.
2. The Contingency and Emergency Response Plan shall be reviewed on a annual basis and updated, as necessary.
  3. An up-to-date version of the Contingency and Emergency Response Plan shall be kept at the Site at all times, in a central location available to all staff, and shall be available for inspection by a Provincial Officer upon request.

## **27. OPERATIONS MANUAL**

1. Prior to the first receipt of waste at the Site, the Owner shall prepare an Operations Manual for use by the Site personnel. As a minimum, the Operations Manual shall contain the following:
  - a. outline the responsibilities of Site personnel;
  - b. personnel training protocols;
  - c. waste receiving and screening procedures;
  - d. waste unloading, handling, and storage procedures;
  - e. process monitoring procedures;
  - f. sampling and testing procedures;
  - g. Site inspections, spill, fire, upset and leakage recording procedures under the ;
  - h. procedure for handling complaints as described in this Approval.
2. A copy of the Operations Manual shall be kept at the Site, must be accessible to personnel at all times and must be updated, as required.

## **28. STAFF TRAINING**

1. All operators of the Site shall be trained with respect to the following:

- a. relevant air, noise, wastewater and waste management legislation, regulations and guidelines, including but not limited to the EPA and Reg. 347;
  - b. environmental and occupational health and safety concerns pertaining to the wastes to be handled at the Site;
  - c. the operation, inspection, and maintenance of the Site;
  - d. records keeping procedures;
  - e. emergency procedures and contingency plans in case of fire, spills, off-site impacts and any other emergency situations, as described in the Contingency and Emergency Response Plan;
  - f. specific written procedures for the control of Adverse Effects from the Site;
  - g. specific written procedures for refusal of unacceptable incoming waste loads; and
  - h. terms, conditions and operating requirements of this Approval, relevant to the specific job requirements of each individual operator in accordance with the Operations Manual.
2. The training of the operators of the Site shall be undertaken:
    - a. upon commencing employment at the Site;
    - b. whenever the Operations Manual or training program are changed or during the planned three (3)-year refresher training.

## 29. EMERGENCY SITUATIONS RESPONSE and REPORTING

1. The Owner shall immediately take all necessary measures, as outlined in the Contingency Measures and Emergency Situation Response Plan, to handle the emergency situations occurring at the Site.
2. The Owner shall ensure that the equipment and materials outlined in the Contingency Measures and Emergency Situation Response Plan are immediately available at the Site at all times and are in a good state of repair and fully operational.
3. The Owner shall ensure that all Site personnel are fully trained in the use of the equipment and materials outlined in the Contingency Measures and Emergency Situation Response Plan, and in the procedures to be employed in the event of an emergency.
4. All Spills shall be immediately reported to the **Ministry's Spills Action Centre at 1-800-268-6060** and shall be recorded in the log book as to the nature and cause of the Spill, and the action taken for clean-up, correction and prevention of similar future occurrences.
5. Should a Spill occur at the Site, in addition to fulfilling the requirements from the EPA, the Owner shall submit to the District Manager a written report within three (3) calendar days outlining the nature of the Spill, remedial measure taken and the measures taken to prevent future occurrences at the Site.

## 30. MONITORING



1. The Owner shall monitor the leak detection observation well in accordance with the monitoring program outlined in Schedule 2.
2. Except for the daily visual checks identified in Schedule 2, a Professional Geoscientist or Professional Engineer possessing appropriate hydrogeologic training and experience shall execute or directly supervise the execution of the environmental monitoring and reporting program.
3. If any potential signs of a leak are observed in the observation well during the inspections (e.g., colour, turbidity, oil sheens, etc.), the Owner shall immediately:
  - a. collect a sample from the observation well and analyse the sample for the groundwater parameters identified in Schedule 2; and
  - b. remove all waste from the leaking tank and prevent any storage of waste in the tank until the leak has been successfully repaired.
4. If any sampling confirms the potential presence of a leak (including deteriorating water quality and/or an exceedance of the PWQOs for the parameters identified in Schedule 2, as applicable), the Owner shall immediately notify the District Manager, and an investigation into the cause and the need for implementation of remedial or contingency actions shall be carried out by the Owner. As part of this inspection, the tanks are to be immediately draw-down, visually inspected to evaluate the integrity of the storage tanks and/or leak-tested.

### **31. RECORDS KEEPING and RETENTION**

1. The Owner shall maintain an on-site written or digital record of daily activities undertaken at the Site. All measurements shall be recorded in consistent metric units of measurement. The record shall include, as a minimum, the following:
  - i. date of record;
  - ii. quantity and type of the waste received at the Site, including the incoming waste characterization results, or published characterization data, as applicable;
  - iii. quantity and type of the waste present at the Site in the storage tanks;
  - iv. amount of the waste shipped from the Site and destination;
  - v. quantity and type of any Rejected Waste rejected from the Site;
  - vi. housekeeping activities, including litter collection, washing/cleaning activities, etc.
2. The Owner shall maintain an on-Site written or digital record of the emergency situations. The record shall include, as a minimum, the following:
  - i. the type of an emergency situation;
  - ii. description of how the emergency situation was handled;
  - iii. the type and amount of material spilled, if applicable;
  - iv. a description of how the material was cleaned up and stored, if generated; and
  - v. the location and time of final disposal, if applicable.

3. The Owner shall maintain an on-Site written or digital record of inspections as required by this Approval. The record shall include, as a minimum, the following:
  - i. the name and signature of person that conducted the inspection;
  - ii. the date and time of the inspection;
  - iii. the list of any deficiencies discovered;
  - iv. the recommendations for remedial action; and
  - v. the date, time and description of actions taken.
4. The Owner shall maintain an on-Site written or digital record of training as required by this Approval. The record shall include, as a minimum, the following:
  - i. date of training;
  - ii. name and signature of person who has been trained; and
  - iii. description of the training provided.
5. The Owner shall establish and maintain a written or digital record of complaints received and the responses made as required by this Approval.
6. By June 30th following the end of each operating year, the Owner shall prepare and maintain on-site an Annual Report summarizing the operation of the Site covering the previous calendar year. This Annual Report shall include, as a minimum, the following information:
  - i. a monthly summary of the quality and the quantity of all incoming and outgoing waste and Rejected Waste, including analytical data required to characterize the waste;
  - ii. material balance for each month documenting the amount of waste stored at the Site;
  - iii. a monthly summary of the quality and the quantity of the waste shipped from the Site and its final end-use destination (ie. agricultural or non-agricultural location) and address of the receiving site;
  - d. any environmental and operational problems, that could negatively impact the environment, encountered during the operation of the Site or during Site inspections and any mitigative actions taken;
  - e. results of the monitoring carried out at the Site;
  - f. any recommendations to minimize environmental impacts from the operation of the Site and to improve Site operation and monitoring programs in this regard;
  - g. a summary of any complaints received and the responses made;
  - h. an update on the amount of Financial Assurance which has been provided to the Director;
  - i. a summary of all inspections and maintenance carried out at the Site;
  - j. details on the monitoring program undertaken, including a plan outlining monitor locations and a table outlining monitoring locations, analytical parameters sampled, frequency of sampling and sampling results, with the analytical results for the critical contaminants presented graphically on time-series graphs;
  - k. the results and an interpretive analysis of the results of all leak-detection monitoring, including an assessment of the need to amend the monitoring programs;
  - l. conclusions of the monitoring data, a review of the adequacy of monitoring programs, recommendations for any changes to monitoring programs that may be necessary;
  - m. a written statement that the Site was in compliance with the Approval; and

- n. any other information the District Manager requires from time to time.

## **32. SITE CLOSURE**

1. The Owner shall submit, for approval by the Director, a written Closure Plan four (4) months prior to the permanent closure of the Site. This plan must include, as 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. Within ten (10) days after closure of the Site, the Owner must notify the Director, in writing, that the Site is closed and that the Closure Plan has been implemented.

### **Schedule 1**

1. Application for an Environmental Compliance Approval dated November 26, 2021 and received on November 30, 2021, signed by Mario Lamoureux, Owner of Lamoureux Pumping Inc., including all supporting attachments.
2. Email dated September 21, 2022 from Jessica Arthurs, LRL Associates Ltd., to Nick Zambito, Ministry, including all attachments, regarding the revised design and operating requirements.
3. Design and Operations Report dated November 24, 2021 and revised September 2022, prepared by LRL Associates Ltd.
4. Emails dated November 22, 2022 and November 30, 2022 from Jessica Arthurs, LRL Associates Ltd., to Nick Zambito, Ministry, including all attachments, regarding the leak detection sampling.

## Schedule 2

### Leak Detection Monitoring Program

Location	Minimum Frequency	Parameters
Observation Well	Daily	Visual and olfactory check for signs of contamination (colour, turbidity, oil sheen, odour, etc.)
Observation Well	Quarterly*	<u>Laboratory:</u> Metals: aluminum, barium, cadmium, chromium, cobalt, copper, iron, lead, manganese, nickel, selenium, silver, and zinc  Anions: chloride, nitrate, nitrite, sulphate  Cations: sodium  Various: alkalinity, BOD, ammonia, TDS, phosphorus, Oil & Grease  <u>Field:</u> pH

\*The quarterly sampling is only required when the pump within the observation well is active during that quarter and/or when standing water is observed at the bottom of the observation well.

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

Conditions 1., 3., 4., 5., 8. and 10. are included to clarify the legal rights and responsibilities of the Owner.

Condition 2. is included to ensure that the Site is build and 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.

Condition 6. is included 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. Condition 6.2. is included 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.

Condition 7. is included to ensure that the appropriate Ministry staff has ready access to the operations of

the Site which are approved under this Approval. The condition is supplementary to the powers of entry afforded a Provincial Officer pursuant to the EPA, the OWRA, the PA, the NMA and the SDWA.

Condition 9. is included 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.

Condition 11. is included to ensure that the Site's users, operators and the public are fully aware of important information and restrictions related to the operation of the Site. Condition 11. is also included to ensure that the Site is sufficiently secured, supervised and operated by properly Trained Personnel and to ensure controlled access and integrity of the Site by preventing unauthorized access when the Site is closed and no Site personnel is on duty.

Condition 12. is included to specify the approved and prohibited waste types and the service area from which the waste may be accepted at the Site based on the Owner's application and supporting documentation.

Condition 13. is included to specify the approved waste receipt rates based on the Owner's application and supporting documentation.

Condition 14. is included to specify the hours of operation for the Site to ensure that the hours of Site's operation do not result in an Adverse Effect or a hazard to the natural environment or any person.. is also included to ensure that only the approved the waste types are accepted at the Site.

Condition 15. is included to clarify the scope of this Approval and to list the activities that were not considered by the Director under this Approval.

Conditions 16. is included to ensure that only approved waste types are accepted at the Site.

Condition 17. is included to identify the amounts of the waste approved to be present at the Site at any one time for the purpose of calculating the Financial Assurance requirements for the Site.

Conditions 18. and 19. are included to ensure that all waste management including receipt, storage, processing, treatment and transfer, management of run-off and the discharges to the atmosphere are undertaken in done in a way which does not result in an Adverse Effect or a hazard to the environment or any person and are 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.

Conditions 20. and 21. are included to require the equipment used for waste management and pollution control to be inspected and maintained thoroughly and on a regular basis to ensure that the operations at the Site are undertaken in a manner which does not result in an Adverse Effect or a hazard to the health and safety of the environment or any person.

Condition 22. is included to identify the parameters to be tested so that the waste are properly characterized to ensure their compatibility with the proposed off-Site destinations.

Condition 23. is included to ensure that the outgoing the waste is managed at an end-use site or disposed of in accordance with the Ministry's or the Ontario ministry's responsible for administering the NMA regulatory requirements and in a manner that protects the health and safety of the public and the environment.

Condition 24. is included to ensure that the Site is operated and maintained in an environmentally acceptable manner which does not result in a negative impact on the natural environment or any person.

Condition 25. is included to require the Owner to respond to any environmental complaints resulting from the operations at the Site appropriately and in a timely manner and that appropriate actions are taken to prevent any further incidents that may cause complaints in the future.

Condition 26. is included to ensure that the Owner is prepared and properly equipped to take action in the event of an emergency situation.

Conditions 27. and 28. are included to ensure that personnel employed at the Site are fully aware and properly trained on the requirements and restrictions related to Site operations under this Approval.

Condition 29. is included to require further spill notification to the Ministry, in addition to the requirements already listed in Part X of the EPA.

Condition 30. is included to require that the groundwater at the Site is appropriately monitored to ensure that the Site is operated in an environmentally acceptable manner which does not result in a negative impact on the natural environment or any person.

Condition 31. is included to ensure that detailed records of Site activities, inspections, monitoring and upsets are recorded and maintained for inspection and information purposes.

Condition 32. is included to ensure that final closure of the Site is completed in accordance with Ministry's standards.

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

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

The Notice should also include:

1. The name of the appellant;
2. The address of the appellant;
3. The environmental compliance approval number;

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

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

This Notice must be served upon:

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

and

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

and

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

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

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

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

DATED AT TORONTO this 30th day of November, 2022




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Mohsen Keyvani, P.Eng.  
Director  
appointed for the purposes of Part II.1 of the  
*Environmental Protection Act*

NZ/

c: Area Manager, MECP Cornwall  
c: District Manager, MECP Ottawa  
Alex Wood, LRL Engineering