

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 1785-DR7LA3
Issue Date: February 28, 2026

Environmental Services Inc.
22153 King & Whittle Rd
Rural Route, No. 3
Tilbury, Ontario
N0P 2L0

Site Location: 22153 King & Whittle Road
Lot Northwest 1/2 of Lot 18, Concession 10
Chatham-Kent Municipality,
N0P 2L0

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 transfer and processing facility consisting of the following processes and equipment:

- receiving, handling, storing of non-hazardous and hazardous biosolids wastes;
- Two non-hazardous waste sludge tanks, with a maximum surface area and volume of 32 m² and 98 m³ respectively;
- Four frac tanks storing non-hazardous liquid waste with a volume of 80 m³ (volume of each Frac Tank is 80m³ so total is 320 m³);
- One biosolid storage pad with surface area of 1658 m²;
- Fugitive emission, maintenance and welding;
- Fuel storage tanks;
- Brine bond

all in accordance with the application for an Approval submitted by Environmental Services Inc., dated October 4, 2024, signed by G.Pete Hennin and the supporting information, including the Emission Summary Dispersion Modelling Report, submitted by RWDI Air Inc., and the Acoustic Assessment Report, also submitted by RWDI Air Inc.

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

1. "Approval" means this Environmental Compliance Approval, including the application and supporting documentation listed above;
2. "Best Management Practices Plan" means a document or set of documents which describes measures to minimize dust emissions from the Facility and/or Equipment;
3. "Building Code Act, 1992" means the Building Code Act, S.O. 1992, c.23, as amended and any replacement or successor legislation;
4. "Company" means **Environmental Services Inc.** that is responsible for the construction or operation of the Facility and includes any successors and assigns in accordance with section 19 of the EPA;
5. "Director" means a person appointed for the purpose of section 20.3 of the EPA by the Minister pursuant to section 5 of the EPA;
6. "District Manager" means the District Manager of the appropriate local district office of the Ministry, where the Facility is geographically located;
7. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19;
8. "Equipment" means the equipment described in the Company's application, this Approval and in the supporting documentation submitted with the application, to the extent approved by this Approval;
9. "Facility" means the entire operation located on the property where the Equipment is located;
10. "Manual" means a document or a set of documents that provide written instructions to staff of the Company;
11. "Ministry" means the ministry of the government of Ontario responsible for the EPA and includes all officials, employees or other persons acting on its behalf;
12. "Noise Control Measures" means measures to reduce the noise emissions from the Facility and/or Equipment including, but not limited to, silencers, acoustic louvres, enclosures, absorptive treatment, plenums and barriers. It also means the noise control measures outlined in section 6.1 and appendix G of the Acoustic Assessment Report;
13. "Odour Management Plan" means a document, prepared by a Professional Engineer, which describes the measures to minimize odour emissions from the Facility and/or Equipment ;
14. "Publication NPC-300" means the Ministry Publication NPC-300, "Environmental Noise Guideline, Stationary and Transportation Sources – Approval and Planning, Publication NPC-300", August 2013, as amended.
15. "Waste" means waste described in the ESDM Report, this Approval and Approval (Waste); and

16. "Waste Approval" means the Environmental Compliance Approval and any Schedules attached to it, including the application and its supporting documentation for activities set out under section 27 of the EPA and carried out at the Facility.

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. OPERATION AND MAINTENANCE

1. The Company shall ensure that the Equipment is properly operated and maintained at all times. The Company shall:
 - a. prepare, not later than three (3) months after the date of this Approval, and update, as necessary, a Manual outlining the operating procedures and a maintenance program for the Equipment, including:
 - i. routine operating and maintenance procedures in accordance with good engineering practices and as recommended by the Equipment suppliers;
 - ii. emergency procedures, including spill clean-up procedures;
 - iii. procedures for any record keeping activities relating to operation and maintenance of the Equipment;
 - iv. all appropriate measures to minimize noise and odorous emissions from all potential sources; and
 - b. implement the recommendations of the Manual.
2. The Company shall ensure that daily receiving, processing, storage and transfer of Waste at the Facility shall be conducted in accordance with the Facility's Waste Approval.

2. RECORD RETENTION

1. The Company shall retain, for a minimum of two (2) years from the date of their creation, all records and information related to or resulting from the recording activities required by this Approval, and make these records available for review by staff of the Ministry upon request. The Company shall retain:
 - a. all records on the maintenance, repair and inspection of the Equipment; and

- b. all records of any environmental complaints, including:
 - i. a description, time and date of each incident to which the complaint relates;
 - ii. wind direction at the time of the incident to which the complaint relates; and
 - iii. a description of the measures taken to address the cause of the incident to which the complaint relates and to prevent a similar occurrence in the future

3. NOISE

- 1. The Company shall:
 - a. ensure, at all times, that the noise emissions from the Facility comply with the limits set in Ministry Publication NPC-300;
 - b. retain ownership of the Agricultural-zoned lands denoted by Points of Reception POR5, POR6, POR7 and POR8 in Figure 2 of the Acoustic Assessment Report and shall keep these lands free of any noise sensitive building; and
 - c. implement not later than twelve (12) months after the issuance of an above grade building permit under the Building Code Act, 1995, for a noise sensitive building on the Agricultural-zoned lands (denoted by Points of Reception POR5, POR6, POR7 and POR8 in Figure 2 of the Acoustic Assessment Report), the Noise Control Measures outlined in section 6.1 and appendix G of the Acoustic Assessment Report.
 - a. ensure, subsequent to the implementation of the Noise Control Measures that the noise emissions from the Facility comply with the limits set in Ministry Publication NPC-300; and
 - b. ensure that the Noise Control Measures are properly maintained and continue to provide the acoustical performance outlined in the Acoustic Assessment Report.

4. ODOUR CONTROL MANAGEMENT

- 1. The Company shall ensure that, at all times, take all reasonable measures to prevent odorous emissions and odour impacts from all potential sources at the Facility.
- 2. The Company shall prepare and submit to the District Manager for review not later than three (3) months from the date of this Approval, an Odour Management Plan that includes measures to minimize odour impacts of the Facility on the nearby receptors.

3. The Odour Management Plan shall include:
 - a. Facility and process descriptions including a list of all potential sources of odour;
 - b. best management practices described in Ministry's Best Management Practices for Industrial Sources of Odour to ensure the effective implementation of odour impact reduction measures, including:
 - i. periodic preventative activities and their frequency;
 - ii. inspection and maintenance procedures; and
 - iii. record keeping practices for odour complaints and steps taken to address each complaint, including corrective actions and monitoring of corrective actions to ensure the effectiveness of the corrective actions.
4. The Company Shall:
 - a. update and revise the Odour Management Plan within three (3) months of the implementation of any proposed modifications that may impact odour emissions;
 - b. review and evaluate the Odour Management Plan for the control of odour emissions once every twelve (12) months from the date of this Approval, or at a frequency directed, or agreed to in writing by the District Manager;
 - c. record the results of each annual review and evaluation, and update the Odour Management Plan accordingly; and
 - d. maintain the updated Odour Management Plan at the Facility and make it available to Ministry staff upon request.
5. If the District Manager does not accept the Odour Management Plan, the District Manager may require the Odour Management Plan to be revised and re-submitted.

5. COMPLAINTS RECORDING/ODOUR EMISSION RESPONSE PROCEDURE

1. A designated representative of the Company shall be available to receive public complaints caused by the operations at the Facility twenty-four (24) hours per day, seven (7) days per week.
2. If at any time, the Company receives any environmental complaints from the public regarding the operation of the Facility, the Company shall respond to these complaints according to the following procedures:

- a. Step 1: Receipt of Complaint - The Company shall record each complaint in a computerized tracking system. The information recorded shall include the following:
 - i. the name, address and the telephone number (or contact information) of the complainant, if known;
 - ii. the date and time of the complaint; and
 - iii. details of the complaint, including the description and duration of the incident.
- b. Step 2: Notification of Complaint - After the complaint has been received by the Company and recorded in the tracking system, the Company shall, immediately notify, either the Area Supervisor by phone during office hours or the Ministry's Spills Action Centre at 1-800-268-6060 after office hours.
- c. Step 3: Investigation of Complaint - The Owner shall immediately initiate investigation of the complaint. The investigation shall include, as a minimum, the following:
 - i. determination of the activities undertaken in the Company at the time of the complaint;
 - ii. general meteorological conditions including, but not limited to the ambient temperature, approximate wind speed and its direction, sunny versus cloudy, inversion versus clear and windy, etc. at the time of the complaint;
 - iii. location of the person who submitted the complaint, if known, at the time of the incident; and
 - iv. determination if the complaint is attributed to activities being undertaken at the Company and if so, determination of all the possible cause(s) of the complaint;
- d. Step 4: Corrective Action - The Company shall determine the remedial action(s) to address the cause(s) of the complaint and implement the remedial action(s) to eliminate the cause(s) of the complaint, as soon as practicably possible, and to prevent a similar occurrence in the future;
- e. Step 5: Written Response - The Company shall forward a formal reply to the complainant, if known, and to the Area Supervisor within one (1) week after the receipt of the complaint. The response shall include the results of the investigation of the complaint, the action(s) taken or planned to be taken to address the cause(s) of the complaint, and if follow-up response would be provided.
- f. Step 6: Recording - All of the information collected and actions taken must be recorded in the tracking system.

6. TECHNOLOGY BENCHMARKING REPORT

1. The District Manager may, at their discretion, require the Company to prepare a Technology

Benchmarking Report.

2. The Technology Benchmarking Report should include the following, at a minimum:
 - a. a comprehensive list of all control methods for odour impact reduction based on the following:
 - i. a comparison of methods used by other facilities in the same or similar industrial sector;
 - ii. a review of emission control requirements and strategies from other jurisdictions; and,
 - iii. where applicable, transfer of technologies from other sectors with similar issues, including preventative steps such as material substitutions, process changes and add-on controls or treatment methods.
 - b. an evaluation of the technical feasibility of the identified control options individually, and where applicable, control options in combination. This evaluation will include the availability and applicability of the option to the odour source, technical considerations, and any site specific considerations;
 - c. a ranking of feasible options, or option combinations with an assessment of predicted impact reductions at sensitive receptors for major sources and aggregate facility emissions including percent contribution, maximum and average odour concentrations and frequency assessment at sensitive receptors, and compared to current operations; and
 - d. recommendations based on current odour impact assessment, predicted reductions that can be achieved by implementing feasible options, timelines, approval requirements and other applicable considerations.
3. The Company shall update and/or, implement the recommendations of the Technology Benchmarking Report upon written request by the District Manager.

7. CHANGE OF OWNERSHIP

1. The Company shall notify the Director in writing, and forward a copy of the notification to the District Manager, within thirty (30) days of the occurrence of any of the following changes to Facility operations:
 - a. the ownership of the Facility;
 - b. the operator of the Facility;
 - c. the address of the Company;
 - d. the partners, where the Company is or 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; or
- e. the name of the corporation where the Company is or at any time becomes a corporation, other than a municipal 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.
2. In the event of any change in ownership of the Facility, the Company shall notify the successor of the existence of this Approval and provide the successor with a copy of this Approval, and the Company shall provide a copy of the notification to the District Manager and the Director.

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

1. Condition No. 1 is included to emphasize that the Equipment must be maintained and operated according to a procedure that will result in compliance with the EPA, the Regulations and this Approval.
2. Condition No. 2 is included to require the Company to keep records and to provide information to staff of the Ministry so that compliance with the EPA, the Regulations and this Approval can be verified.
3. Condition No. 3.1 is included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the Facility.
4. Condition No. 4 is included to emphasize that the Facility/Equipment must be maintained and operated according to a procedure that will result in compliance with the EPA, the Regulations and this Approval.
5. Condition No. 5 is included to require the Company to respond to any environmental complaints regarding the operation of the Equipment, according to a procedure that includes methods for preventing recurrence of similar incidents and a requirement to prepare and retain a written report.
6. Condition No. 6 is included to require the Company to provide information to the Ministry on the efforts of the Company in minimizing odorous emissions relative to industry best practices.
7. Condition No. 7 is included to require the Company to notify/report to the Ministry so that compliance with the EPA, the regulations and this Approval can be verified.

**Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s).
6794-7FWJBB issued on July 26, 2009**

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.

Pursuant to subsection 139(3) of the *Environmental Protection Act*, a hearing may not be required with respect to any terms and conditions in this environmental compliance approval, if the terms and conditions are substantially the same as those contained in an approval that is amended or revoked by this environmental compliance approval.

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

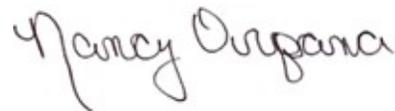
The Director appointed for the purposes of
Part II.1 of the *Environmental Protection Act*
Ministry of the Environment,
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

*** 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**

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 28th day of February, 2026



Nancy E Orpana, P.Eng.
Director
appointed for the purposes of Part II.1 of the
Environmental Protection Act

SS/

c: Area Manager, MECP Windsor

c: District Manager, MECP Sarnia
Brad Bergeron, RWDI