

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER A-500-7368370802

Version: 1.0

Issue Date: May 16, 2026

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:

SOUTHVIEW HYDROVAC INC.

2 HUNTINGTON CRT
CAMERON ONTARIO
K0M1G0

For the following site:

144 North Port Road
Port Perry, Ontario
L9L 1B2

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

a 3.7 hectare (ha) waste disposal site to be used for the processing of non-hazardous Liquid Excess Soil originated from hydrovac operations.

DEFINITIONS

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

"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 "A", 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*, Revised Statutes of Ontario (R.S.O.) 1990, c. E.19, as amended;

"Liquid Excess 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*, Revised Statutes of Ontario (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 SOUTHVIEW HYDROVAC INC., its successors and assigns;

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

"PA" means the *Pesticides Act*, Revised Statutes of Ontario (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;

"Potentially Contaminating Activity (PCA)" means a use or activity set out in Column A of Table 2 of Schedule D that is occurring or has occurred in a phase one study area;

"Protocol for Analytical Methods Used in the Assessment of Properties under Part XV.1 of the *Environmental Protection Act*" means the Ministry's document entitled "Protocol for Analytical

Methods Used in the Assessment of Properties under Part XV.1 of the *Environmental Protection Act*" dated March 9, 2004, amended July 1, 2011, and as further amended at any time;

"Processed Dry Excess Soil" means Dry Excess Soil that is recovered from decanting and solidification of Liquid Excess Soil;

"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;

"Residual Waste" means waste that is destined for final disposal or further processing at another approved waste disposal facility;

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

"Rock" means a naturally occurring aggregation of one or more naturally occurring minerals that is 2 millimetres or larger in size or that does not pass the US #10 sieve;

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

"Site" means the facility located at 144 North Port Road, Port Perry, 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 document entitled "Rules for Soil Management and Excess Soil Quality Standards", as amended from time to time, published by the Ministry and available on a website of the Government of Ontario;

"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 July 18, 2025, and the supporting documentation listed in Schedule "A".
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 "A", 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 "A", 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 and/or conservation 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. Within 90 days of the issuance of the Approval, the Owner shall submit a complete environmental compliance approval applications including all necessary supporting

documents to obtain:

- a. a Site-specific s. 53, OWRA, approval.
 - b. a Site-specific s. 9 (air and noise), EPA, approval.
3. Despite Conditions 12, 13 and 14, the Site shall not accept, handle, manage, or otherwise process any waste until Site-specific approvals under section 9 of the EPA (air and noise) and section 53 of the OWRA have been obtained.

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, Revised Statutes of Ontario (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*, Revised Statutes of Ontario (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 7 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 June 30, 2026, the Owner shall submit financial assurance as defined in Section 131 of the EPA to the Director in the amount of \$461,600. 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 June 30, 2031, 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. Loading and unloading of waste (Liquid Excess Soil) and Processed Dry Excess Soil may be carried out between the hours of 7:00am and 7:00pm, Monday through Friday, and limited hours on Saturday, as permitted by municipal by-laws.

11. Service Area

1. Only Liquid Excess Soil generated in the province of Ontario shall be accepted at the Site.

12. Acceptable Materials

1. No waste other than non-hazardous Liquid Excess 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, processing of Liquid Excess Soil, and transfer of Processed Dry Excess Soil.
 - b. The processing of Liquid Excess Soil involving decanting of Liquid Excess Soil, mixing of ECO-Poly (polymer) in aboveground mixing bins, transfer of decanted effluent into an aboveground fractionation tank for passive sediment settling, pumping of decanted effluent from fractionation tank into two aboveground 80 cubic meter capacity tanks, and storage of Processed Dry Excess Soil in accordance with the Design and Operations Report included as Item 2 in Schedule "A" of this Approval.
2. Non-hazardous solidifying agent (ECO-POLY, C3H3NAO2-Super Absorbent polymer) listed in the Design and Operations Report included as Item 2 in Schedule "A" of this Approval. Any other non-hazardous polymer (solidifying agent) use in decanted Liquid Excess Soil solidification process, which is not specified in the Design and Operations Report, shall only be used after obtaining prior approval of the District Manager.

3. A free board of 0.45 m shall always be maintained in the Liquid Excess Soil settling chamber shown on Figure 4.1 of the Design and Operations Report included as Item 2 in Schedule "A" of this Approval.
4. Waste receipt, processing, and the storage of processed, unprocessed, or residual waste shall not occur within or on any portion of the Site that is identified as Provincially Significant Wetland or as a flood hazard area.

14. Receiving and Storage Limits

1. The amount of Liquid Excess Soil received at the Site shall not exceed 80 cubic meter per day.
2. The amount of waste present at the Site at any one time shall not exceed the following:
 - a. 306 cubic meter of unprocessed Liquid Excess Soil;
 - b. 6,000 cubic meter of Processed Dry Excess Soil including debris.
 - c. 240 cubic meter of decanted effluent.
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. Incoming Liquid Excess Soil Documentation

1. Prior to accepting any Liquid Excess Soil at the Site, the Owner shall ensure that documents are obtained from each source site/generator delivering waste to the Site that contains following information at a minimum:
 - a. the source site/generator location; current source site/generator activities and land use, including details of any certain or likely Potentially Contaminating Activity;
 - b. past source site/generator activities and land use, including details of any certain or likely Potentially Contaminating Activity;
 - c. a list of all certain or likely spilled materials and clean-up materials present in the Liquid Excess Soil if the Liquid Excess Soil is from an emergency response location; and
 - d. the estimated quantity of Liquid Excess Soil to be received at the Site.

16. 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. In the event that an incoming waste load is rejected from the Site, the Owner shall forthwith notify the District Office of the following in writing:
3.
 - 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 load; 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 Excess Soil shall be unloaded directly into a soil settling chamber shown on Figure 2 - Site Plan, Design and Operations Report included as Item 2 in Schedule "A" of this Approval, for inspection and 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 27 and the Design and Operations Report included as Item 2 in Schedule "A" of this Approval;
7. Processed Dry Soil shall not be stored (stockpiled) within 30 m of waterbody and 10 m of the property boundary.
8. The height of Processed Dry Excess Soil stockpile shall not exceed 3 m and the stockpile height shall always be 0.5 m less than the retaining or bunker wall or fence height.
9. Processed Dry Excess Soil recovered from processing of Liquid Excess Soil shall be stored outdoor as per Figure 2 - Site Plan, Design and Operations Report, included as Item 2 in Schedule "A" of this Approval.
10. Soils that have been tested shall remain segregated from all other untested Processed Dry Excess Soil on-Site.
11. Residual waste to be sent off-site for disposal to a licensed facility shall not exceed daily limit of 1,000 tonnes, based on annual average.

17. **Outgoing Processed Dry Excess Soil Requirements**

1. No Processed Dry Excess Soil shall leave the Site for reuse unless the Owner shall complete the following prior to shipping for reuse from the Site:
 - a. the soil characterization is carried out by, or under the supervision of, a Qualified Person, and all characterization documentation is prepared by a Qualified Person;
 - b. the soil is tested using the TCLP test, and/or any other analytical results required to confirm that the soil not a hazardous waste as defined in Regulation 347;
 - c. the soil is tested using the Slump Test;
 - d. the soil is sampled in accordance with the stockpile sampling frequency set out in paragraph 2(3)16 of Section B of Part I of the Soil Rules for the contaminants listed in paragraph 2(3)14 of Section B of Part I of the Soil Rules, and that the samples are handled, stored and analyzed in accordance with subsection 2(4) in Section B of Part I of the Soil Rules;
 - e. all analysis of soil samples is carried out by an accredited laboratory (Canadian Association for Laboratory Accreditation or equivalent).
2. For the purpose of compliance with Condition 17.1(d), samples of Processed Dry Excess Soil shall be collected and analysed, at minimum, for the following parameters:
 - a. metals;
 - b. hydride-forming metals;
 - c. petroleum hydrocarbons (PHCs) [F1 to F4];
 - d. Benzene, toluene, ethylbenzene, xylene (BTEX);
 - e. Sodium adsorption ratio (SAR) and electrical conductivity (EC);
 - f. Volatile organic compounds (VOC);
 - g. Semi-volatile organic compounds (SVOC) including polychlorinated biphenyls (PCB); and
 - h. leachate analysis for certain contaminants as outlined in subsection 2 (5) in Section B of PART I of Soil Rules.
3. 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.

18. Dry Excess Soil Reuse

1. The Owner shall ensure that no Processed Dry Excess Soil is transferred from the Site except to be deposited at a property or a site in accordance with one of the following criteria:
 - a. to an approved waste disposal facility permitted to accept soil under Part V of the EPA;
 - b. to an approved waste disposal site for use as daily cover or intermediate cover in accordance with the requirements of the Environmental Compliance Approval for the receiving site;
 - c. to a receiving property that has been assessed by a Qualified Person who confirms that the receiving site has a fill management plan and that the soil quantity and quality is acceptable for the intended receiving property such that it will not cause an adverse effect to human health or the environment;
 - d. to a receiving property that has site specific standards developed in a risk assessment as outlined in Ontario Regulation 153/04 made under the EPA, and which the soil meets; and
 - e. the Owner shall ensure that for any soil that is to be transferred to a receiving property to be used as clean fill, a copy of the analytical results are forwarded to the receiving property.
2. Rock that meets the Regulation 347 inert fill criteria set out in, meaning it does not contain putrescible materials or soluble or decomposable chemical substance, shall be sent out off-site for reuse or processing in accordance with Regulation 347 requirements.
3. 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.
4. Before shipping any Processed Dry Excess Soil or Rock 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 or Rock 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; 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.
5. Processed Dry Excess Soil can only be transferred to a pit or quarry for pit rehabilitation under the Aggregate Resources Act, Revised Statutes of Ontario (R.S.O.) 1990, c.A.8 only if:
- a. a Qualified Person has confirmed, in writing, that the concentrations of constituent contaminants of the soil and Rock, and the deposition of the soil or Rock at the pit or quarry, are in accordance with the Aggregate Resources Act, Revised Statutes of Ontario (R.S.O.) 1990, c.A.8 and the regulations, the site plan and the conditions of the licence or permit under the Aggregate Resources Act , Revised Statutes of Ontario (R.S.O.) 1990, c.A.8; and
 - b. Qualified Person has determined it is appropriate to bring the soil or Rock to the pit or quarry, and this determination was done with consideration given to the contaminant volumes and loading, the impacts on the existing conditions at the pit or quarry, and the introduction of new contaminants to the pit or quarry.

19. 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, if applicable;
- 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.

20. 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.

21. 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 Liquid Excess Soil, aggregate, Processed Dry Excess Soil and process water at the Site.

22. 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.

23. Nuisances

1. The Owner shall operate and maintain the Site such that dust, odours, vectors, birds, litter, vibration, noise and traffic do not create a nuisance.
2. The Owner shall implement a litter control plan to minimize and control litter at the Site.
3. If at any time odours are generated at the Site resulting in complaints, the Owner shall take appropriate remedial actions immediately to eliminate the cause of the problem. Appropriate measures may include the removal of waste from the Site and temporary stoppage of all operations until the problem has been rectified and measures have been undertaken to prevent future occurrence.
4. The Owner shall ensure that any waste causing a nuisance or Adverse Effect shall be removed from the Site no later than 24 hours of the commencement of the nuisance or Adverse Effect.
5. The Owner shall ensure that there is no queuing or parking of trucks that are waiting to enter this Site on any roadway that is not a distinct part of this Site.
6. The Owner shall ensure that vehicles leaving this Site do not drag dirt and/or other material that may become a contaminant or a nuisance onto public roads.
7. 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. stockpiles are wetted as necessary, using water from the municipal water supply or on-Site well or process water if it meets Condition 27.1

- requirements;
- c. water from the municipal water supply or on-Site well or process water, if it meets Condition 27.1 requirements, is used as necessary during any loading or unloading operation; and
- d. the Site is wet-swept clean as necessary using water from municipal water supply or on-Site process water, if it meets Condition 27.1 requirements, well when the Site is operational.

24. 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 Excess Soil, Processed Dry Excess Soil 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 24(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.

25. 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 emergency response plan shall be kept up to date, and a copy shall be retained and accessible to all staff at all times.
4. 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.
5. 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.
6. 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.

26. Stormwater Management

1. Within 90 days of the issuance of the Approval, the Owner shall submit a complete environmental compliance approval application including all necessary supporting documents to obtain a Site-specific s. 53, OWRA, approval.
2. 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.

27. Decanted Effluent Management

1. No process water shall be loaded onto hydrovac trucks for off-site reuse or for on-Site reuse for dust suppression unless the treated decant effluent has been sampled and analyzed for metals, volatile organic compounds (VOCs), petroleum hydrocarbon (PHCs), and polycyclic aromatic hydrocarbons (PAHs), and the analytical results meet the Table 2, of the "Soil, ground water and sediment standards for use under Part XV.1 of the *Environmental Protection Act*, dated April 15, 2011".
2. Following completion of the chemical testing required under Condition 27.1, the treated decant effluent storage tank shall not be topped up until all stored treated decant effluent has been completely reused or otherwise removed from the storage tank.
3. No process water shall be discharged, directly or indirectly, to any waterbody or to any other part of the natural environment, or otherwise in a manner that requires an approval under section 53 of the *Ontario Water Resources Act*, unless such approval is in effect for the Site.
4. All process water shall otherwise be managed in accordance with all applicable municipal, provincial, and federal requirements, and may include discharge to a sanitary sewer system, where permitted by the local municipality, or off-Site disposal at a facility authorized to receive such material.
5. The treated decant effluent chemical quality monitoring requirements set out in Condition 27.1 may be revised or amended upon submission of a monitoring report by the Owner and following review and written approval by the District Manager. Upon receipt of such written approval, the Owner shall apply to the Director for an amendment to this Approval, who may impose restrictions on the source areas of the incoming Liquid Excess Soil.
6. The decanted effluent chemical quality monitoring report referenced in Condition 27.5 shall include, at a minimum:
 - a. Two (2) consecutive years of continuous treated decant effluent water quality monitoring data collected during the reporting period;
 - b. Information identifying the source areas from which Liquid Excess Soil was received during the reporting period; and
 - c. A chemical data analysis, including interpretation of trends, variability, and any implications for effluent quality and potential impacts to the natural environment.

28. 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 Liquid Excess Soil received at the Site;
- c. estimated quantities of all stockpiled Processed Dry Excess Soil on-Site at the end of each operating day;
- d. quantities and destinations of all Liquid Excess Soil, Processed Dry Excess 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.

29. Groundwater Monitoring Plan

1. The Owner shall ensure that the Site is monitored in accordance with the Groundwater Monitoring Plan, including sampling of the 5 on-Site groundwater monitoring wells on a semi-annual basis. All samples shall be submitted to a Canadian Association for Laboratory Accreditation (CALA) accredited laboratory for analysis.
2. Each sample shall be analyzed for benzene, toluene, ethylbenzene, xylene (BTEX), PHC - F1 to F4 fractions, metals and PAHs.
3. The applicable regulatory compliance standard is Guideline B-7 "Incorporation of the Reasonable Use Concept into MOEE Groundwater Management Activities".
4. Any exceedences shall be reported to the District Manager within 1 week of receiving the results.
5. The Owner shall ensure that all groundwater monitoring wells which form part of the monitoring program shall be properly capped, locked and protected from damage.
6. Any groundwater and leachate monitoring wells included in the ongoing monitoring program that are damaged shall be assessed, repaired, replaced or decommissioned

by the Owner, as required.

30. Reporting

1. By September 30, 2028, and on an annual basis thereafter, the Owner shall prepare a written report for the previous calendar year that shall be kept on-site and made available to any Provincial Officer upon request. The report shall include, at a minimum, the following information:
 - a. a detailed monthly summary of the type and quantity of all incoming Liquid Excess Soil and outgoing Processed Dry Excess Soil, process water, Rock and debris and the destination of all outgoing Processed Dry Excess Soil 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. an analysis and interpretation of the 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;
 - f. summary of inspections undertaken at the Site;
 - g. summary of any public complaints received and the responses made; and
 - h. a statement as to compliance with all conditions of this Approval and the other relevant Ministry's groundwater requirements.

31. 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:

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.

The reason for Conditions 1, 3, 4, 5, and 8 is 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.

Condition 6.1 is 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 Conditions 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.

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.

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 reasons for Condition 15 and 16 are to specify requirements for the receipt and management of incoming Liquid Excess Soil based on the Owner's application and supporting documentation and 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 the environment or people.

The reasons for Condition 17 and 18 is to ensure that all processed material is testing and to ensure that any processed material reused on-Site or sent off-site for reuse to an appropriate receiving facility.

The reason for Condition 19 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 20 is to ensure that 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 21 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 reasons for Conditions 22 and 28 are 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.

Conditions 23, 26, and 27 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 the environment or people.

The reason for Condition 24 is to ensure that any complaints regarding Site operations at the Site are responded to in a timely manner.

The reason for Condition 25 is to ensure that an Emergency Response Plan is developed and maintained at the Site, and that staff are properly trained in the operation of the equipment used at the Site and emergency response procedures.

The reason for Condition 29 is to ensure that groundwater monitors are installed and maintained, to allow for assessment of potential environmental effects from the Site; and that decommissioning is carried out in accordance with Ministry requirements.

The reason for Condition 30 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 Conditions 31 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 16th day of May, 2026



Mohsen Keyvani

Director

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

c: Shawna Stack, SOUTHVIEW HYDROVAC INC.

Bailey Walters, Grounded Engineering Inc.

SCHEDULE 1

Schedule "A"

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

1. Environmental Compliance Approval application dated July 18, 2025.
2. Design and Operations Report, Grounded Engineering Inc., dated July 15, 2025, revised on November 7, 2025 (Rev 1), April 30, 2026 (Rev 2) , and May 11, 2026 (Rev 3)..