

AMENDMENT TO ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER A031813

Notice No. 2

Issue Date: September 20, 2026

Clean Harbors Canada, Inc.
4090 Telfer Rd R.R. #1
St. Clair, Ontario
N0N 1G0

Site Location: Lots 8 and 9, Concession 10, geographic township of Moore
St. Clair Township, County of Lambton

You are hereby notified that I have amended Approval No. A031813 issued on November 7, 2023 for a 140 hectare waste disposal site , as follows:

The following Conditions are hereby added as follows:

Contingency Process Water Storage Pond

3.30 The Owner may construct and operate a Contingency Process Water Storage Pond, as described in items 43 through 47, of Schedule A, and with the following conditions:

- a. The maximum total volumetric size of the pond is $87,000 \text{ m}^3$, completed in 2 Phases with maximum volumes of Phase 1 and Phase 2 are $56,000 \text{ m}^3$ and $31,000 \text{ m}^3$, respectively.
- b. At least 3 months prior to the start of the construction of Phase 2, the Owner shall inform the District Manager of the intent to construct Phase 2 and the corresponding construction schedule.
- c. The ponds bottom completed elevation shall not be lower than 202.0 masl and the maximum height of water in the pond shall not be more that 207.0 masl A minimum freeboard of 0.3 m shall be maintained at all times.
- d. The Owner shall ensure that during the construction of each phase of the pond, the construction is supervised by a qualified geotechnical engineer as outlined and recommended in the supporting documents, Items 44 through 47, of Schedule A.
- e. To prevent flooding at the Site, the Owner shall ensure that at all times there are pumps and pipes/hoses on stand-by that can effectively be used to transfer water to the Contingency Process Water Storage Pond during and in anticipation of times of extreme weather events that exceed the capacity of the previously existing Process Water Pond system.
- f. After the construction of the Contingency Process Water Storage Pond has been completed, for each Phase, the Owner shall conduct inspections of the pond, berms, discharge pipe and

control valve at the following minimum frequency:

- i. On a monthly basis for the first four (4) months after completion.
 - ii. On a weekly basis for the first month after the pond has received water from any portion of the Site. The inspections may decrease to a monthly basis for the next four (4) months, or until the pond is emptied, whichever comes first.
 - iii. On a quarterly basis thereafter.
- g. If any deficiencies are found during the inspections under Condition 3.30 f, the Owner shall address these in a timely manner. Within 3 business days of discovering the issue, the Owner must notify the District Manager in writing, describing the issue and how the issue will or has been addressed.
- h. The elevation of the water within the Contingency Process Water Storage Pond and corresponding volume shall be measured and recorded on a monthly basis.
- i. Unless authorized or directed by the District Manager, the Owner shall discharge from the Contingency Process Water Storage Pond to:
- i. be used as Quench Water in the on-Site incinerator in accordance with an Environmental Compliance Approval (Air);
 - ii. be incinerated in the on-Site incinerator in accordance with an Environmental Compliance Approval (Air); or
 - iii. be disposed of off-Site at a facility approved to receive it
- j. The use of the Contingency Process Water Storage Pond shall be limited to emergency overflow situations during extreme weather events that exceed the capacity of the previously existing Process Water Pond system, or as additional capacity storage of Process Water during extended incinerator maintenance shutdown events.
- k. To ensure that the year-over-year volume within the Contingency Process Water Storage Pond does not increase, the Owner shall ensure that at least once per year the pond's volume will be less than 15% of its total capacity. This equates to 8,400 m³ for Phase 1 and 13,050 m³ for Phase 2.
- l. The Owner shall report to the District Manager on a monthly basis, and provide monthly summaries in the Annual Report of:
- i. the monthly volumes of the Contingency Process Water Storage Pond;
 - ii. the inspection results under Condition 3.30 f. and any responding actions taken; and
 - iii. The volume and means of disposal of the discharge from the Contingency Process Water Storage Pond.

11. Financial Assurance

Contingency Process Water Storage Pond

- 11.8 In addition to the financial assurance provided for the Site in Condition 11.1, the Owner shall provide financial assurance for the volume of Process Water that is contained within the Contingency Process Water Storage Pond on annual basis based on the table below. The annual volume within the Contingency Process Water Storage Pond shall be measured on the last workday in September of each year, commencing September 2027, and the corresponding financial assurance shall be submitted to the Director by December 31st of that calendar year. If the financial assurance for the year is less than the preceding year, then the Owner may

request that the financial assurance may be reduced.

Volume of Process Water (m ³)	Financial Assurance (associated with only the Contingency Process Water Pond)
0 – 3,000	0
3,000 – 10,000	\$2,500,000
10,000 – 20,000	\$5,000,000
20,000 – 30,000	\$7,500,000
30,000 – 40,000	\$10,000,000
40,000 – 50,000	\$12,500,000
50,000 – 56,000	\$14,000,000
56,000 – 66,000	\$16,500,000
66,000 – 76,000	\$19,000,000
76,000 – 87,000	\$21,750,000

Schedule "A"

Contingency Process Water Storage Pond

43. Environmental Compliance Approval Application, dated October 27, 2025 and signed by Erica Carabott, Director Environmental Compliance, Clean Harbors Canada Inc. October 27, 2025.
44. Geotechnical Investigation, Process Water Pond Installation, Clean Harbors Lambton Facility, Ontario. Prepared by GHD. 11 May 2026.
45. Clean Harbors Process Pond, Design Brief for Functional Pond Design. Prepared by HDR. May 22, 2025.
46. Technical Drawing: Process Pond Expansion - Phase 1. Lambton Landfill Improvements. Clean Harbors Canada Inc. Prepared by MTE. July 14, 2026.
47. Technical Drawing: Process Pond Expansion - Phase 2. Lambton Landfill Improvements. Clean Harbors Canada Inc. Prepared by MTE. July 14, 2026.

The reasons for this amendment to the Approval are as follows:

1. Condition 3.30 is added to allow the construction and operation the Contingency Process Water Storage Pond in a manner that it will not negatively impact the environment or the health and safety of people.
2. Condition 11.8 is added to ensure that the financial assurance condition is updated to reflect the addition of the Contingency Process Water Storage Pond and 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.

This Notice shall constitute part of the approval issued under Approval No. A031813 dated November 7, 2023

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
40 St. Clair Avenue West, 2nd Floor
Toronto, Ontario
M4V 1M2

*** 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 20th day of September, 2026



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

CM/
c: District Manager, MECP Sarnia