



QUEENSWAY TRANSFER & PROCESSING FACILITY LIMITED

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This is written to formally express our objection to the proposed regulatory amendments to O. Reg 406/19 and the Rules document, specifically Subsection 2. Small liquid soil depots of Section 2) Exempt specified excess soil management sites from a waste environmental compliance approval (ECA) subject to rules.

The objection is specifically for the approval of the regulatory amendments which would allow facilities to receive and store non-hazardous liquid soil without requiring an ECA for waste disposal sites. While the liquid soil in question is classified as non-hazardous, the proposed regulatory amendments create unnecessary risks to the environment and public health.

Despite the material being non-hazardous, liquid soil may still contain substances that can pose environmental harm if not properly managed. The regulation, as it stands, fails to ensure that such materials will be appropriately handled or disposed of, which could lead to unintended consequences such as soil contamination, groundwater pollution, or degradation of local ecosystems.

Environmental permits exist to ensure that facilities follow safe practices in the storage, treatment, and disposal of materials that could potentially impact the environment. The absence of a permit requirement removes the regulatory oversight necessary to monitor and enforce these practices that are typically included in the Design and Operations report reviewed by the Ministry and the final ECA. Without this oversight, there is a risk that facilities may not adequately safeguard against spills, leaks, or improper disposal, leading to pollution that could affect the environment.

ECAs provide the public with essential transparency and accountability. The ECA application process allows for public input through public consultations and ensure that communities are informed about what materials are being handled, the associated risks, and who it may be affected. By eliminating the requirement of a waste ECA for these facilities, diminishes the public's ability to participate in safeguarding their surrounding environment, thus undermining the principle of environmental justice.

In addition to the waste permit, it is crucial that facilities receiving liquid soil be required to obtain air and noise permits, especially given the nature of the activities involved in managing these materials. The storage, and treatment of liquid soil can result in air emissions, dust, odors, and noise pollution—all of which can negatively impact local air quality, public health, and community well-being. Given that facilities are typically required to be in compliance with prescribed maximum point of impingement concentrations at the property line and beyond, the approval of the proposed amendments will omit the requirement for these facilities to be in compliance with applicable air quality standards. Noise emissions from equipment and operations can also disturb surrounding sensitive land uses, leading to potential public health concerns if there is no regulatory oversight. Without the requirement of waste, air and noise ECAs, there is no mechanism in place to monitor,

mitigate these potential environmental hazards and demonstrate compliance with applicable Ministry standards.

Further, omission of financial assurance requirements that is typically required of the facility is deeply concerning. Financial assurance ensures that funds are available for the proper cleanup, remediation, and environmental restoration. Without this financial assurance, there is no guarantee that a facility will have the resources to address the potential risks associated with the handling of liquid soil, leaving taxpayers and local communities vulnerable to the financial burden of environmental harm.

ECAs, including those related to waste, air, and noise, are essential tools to ensure that facilities operate in a responsible and environmentally sound manner. They provide clear guidelines for material management, emissions control, and noise reduction, while also offering a mechanism for public oversight and accountability.

For these reasons, the Ministry is strongly urged to reconsider the decision to exempt facilities receiving non-hazardous liquid soil from obtaining a waste and other applicable ECAs.

Environmental oversight is a critical tool for ensuring that materials, even those deemed non-hazardous, do not pose long-term risks to the environment and public well-being.