

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 2653-9G2LRJ

Issue Date: April 22, 2014

Lafleche Environmental Inc.  
17125 Lafleche Rd  
North Stormont, Ontario  
K0C 1W0

Site Location: Russell 417 Industrial Park Waste Transfer and Processing  
Site  
Lots 21 and 22, Concession 5, Parts 1 and 2 of Reference  
Plan 50R-10055  
Russell Township, United Counties of Prescott and Russell  
K0A 3H0

*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:*

Establishment of a stormwater management facility to service a 3.51 ha drainage area for an indoor waste transfer facility, Russell 417 Industrial Park Waste Transfer and Processing Facility, located in the Township of Russell, United Counties of Prescott and Russell, designed to provide quantity and quality control by attenuating peak stormwater flows from storm events up to 1:100 year return frequency at or below pre-development levels, discharging ultimately to Sparks-Champagne Municipal Drain, consisting of the following:

**PROPOSED WORKS:**

- one (1) approximately 311 m long perimeter ditch (**East Ditch**) running along the northern and eastern part of the site, having a minimum depth of 0.3 m, bottom width of 0.6 m, and side slopes 3H:1V, discharging to a dry pond described below;
- one (1) approximately 258 m long perimeter ditch (**West Ditch**) running along the western and southern part of the site, having a minimum depth of 0.2 m and 0.3 m, bottom width of 1.5 m, and side slopes 3H:1V, crossing through one (1) 500 mm diameter 10 m long CSP culvert and one (1) 680 mm x 500 mm arch pipe CSP, discharging to the **South Ditch** described below;
- one (1) approximately 99 m long triangular perimeter ditch (**South ditch**) running along the southern part of the site, having a minimum depth of 0.3 m and side slopes 3H:1V, crossing

through one (1) 500 mm diameter 10 m long CSP culvert, discharging to a dry pond described below;

- one (1) fire pond (wet detention stormwater pond) designed to provide water storage for fire emergencies, having a maximum depth of 2.25 m and side slopes of 3H:1V, discharging to a grassed swale (**West Ditch**) described above;
- one (1) dry stormwater management pond designed to provide quantity control of stormwater runoff from a total drainage area of 3.51 ha, having a maximum depth of 1.19 m from the bottom of the pond to the spillway and side slopes of 3H:1V, providing a total storage capacity of 1,560 m<sup>3</sup>, equipped with a 5.5 m wide emergency overflow weir at an elevation of 75.60 m masl, discharging through one (1) 100 mm diameter orifice, one (1) 1000 mm x 1000 mm box orifice opening, and a 1220 mm x 1220 mm concrete maintenance box to an oil/grit separator described below;
- one (1) oil/grit separator (Vortechs - Model 9000 in-line or equivalent), designed to provide a peak treatment capacity of 396 L/sec, equipped with aluminum swirl chamber, flow control baffle walls, weir and orifices, providing approximately 3,670 L sediment storage capacity and 2,019 L oil spill storage capacity, providing quality control of stormwater runoff from the site, discharging to the Sparks Champagne Municipal Drain; and
- all other controls and associated appurtenances.

All in accordance with the Application for an Environmental Compliance Approval, listed as Item (1) of Schedule "A" and all other supporting documentation listed in Schedule "A".

to be used for the transfer and processing of the following types of waste:

Municipal Waste generated within the residential, industrial, institutional and commercial sectors including but not limited to recyclables, tires, construction and demolition waste, source separated organics, food processing waste, leaf and yard waste, wood waste and waste electrical and electronic equipment.

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:*

## **DEFINITIONS**

- (1) “**ECA**” means this entire Environmental Compliance Approval document, issued in accordance with the EPA, and includes any schedules to it, the application and the supporting documentation listed in Schedule "A";
- (2) “**EPA**” means the Environmental Protection Act, R.S.O. 1990, C.E-19, as amended;

- (3) "**Design and Operations Report**" means the Design and Operations Report, attached as Item (3) of Schedule "A" of this ECA or the most recent Design and Operations Report that the Owner has submitted to the Ministry in accordance with Condition 18.0 of this ECA;
- (4) "**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;
- (5) "**District Manager**" means the District Manager of the local district office of the Ministry in which the Site is geographically located;
- (6) "**Engineer's Report**" means a report prepared under the direction of and signed by an Independent Professional Engineer that sets out the Operating Envelope;
- (7) "**Fire Safety Plan**" means a Fire Safety Plan for the Site that is deemed to have been found acceptable by the local fire service authority;
- (8) "**Independent Professional Engineer**" means a Professional Engineer licensed to Practice in the Province of Ontario and who is not an employee of the Owner;
- (9) "**Infrastructure**" means the structural elements that are used at the waste disposal site approved by this ECA including buildings, structures, grounds and utilities;
- (10) "**Ministry**" means the Ontario Ministry of the Environment;
- (11) "**Modifications**" means a change to the waste disposal site identified in the Engineer's Report and approved by this ECA including changes to how the Site is used, operated, altered or enlarged;
- (12) "**Municipal Waste**" means municipal waste as defined in Ontario Regulation 347;
- (13) "**OWRA**" means the Ontario Water Resources Act, R.S.O. 1990, c. O.40, as amended;
- (14) "**Operating Envelope**" means the limits on the pre-approved Modifications that the Owner may make to the Site without further amendment to the ECA;
- (15) "**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;
- (16) "**Owner**" means any person that is responsible for the establishment or operation of the Site being approved by this ECA, and includes Lafleche Environmental Inc., its successors and assigns;
- (17) "**PA**" means the Pesticides Act, R.S.O. 1990, c. P-11, as amended from time to time;
- (18) "**Processed Waste**" means waste that has been sorted, baled, mulched or otherwise handled to allow the waste to be diverted for recycling;

- (19) “**Proposed Works**” means the sewage works described in item (1) of Schedule "A", this ECA, and to the extent approved by this ECA;
- (20) "**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 PA;
- (21) "**Putrescible Waste**" means organic waste that rapidly decomposes, such as food waste or source separated organics;
- (22) “**Reg. 347**" means Regulation 347, R.R.O. 1990, General - Waste Management, made under the EPA, as amended from time to time;
- (23) “**Residual Waste**” means waste that is destined for final disposal or further processing at another approved waste disposal facility;
- (24) "**Site**" means the entire 8.1 hectare of property located in Lots 21 and 22, Concession 5, Corduroy Road, Parts 1 and 2 of Reference Plan 50R-10055 in the Township of Russell, United Counties of Prescott and Russell.
- (25) "**Source Protection Plan**" means a drinking water source protection plan prepared under the Clean Water Act, 2006;
- (26) "**Substantial Completion**" has the same meaning as "*substantial performance*" in the Construction Lien Act;
- (27) "**Trained personnel**” means competent personnel that have been trained through instruction and/or practice in accordance with Condition 24.1 of this ECA.
- (28) “**Works**” means the sewage works described in the *Owner’s* application listed as Item (1) of Schedule "A" and this ECA and includes *Proposed Works* ;

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

## TERMS AND CONDITIONS

### 1.0 Compliance

- 1.1 The Owner and Operator shall ensure compliance with all the Conditions of this ECA and shall ensure that any person authorized to carry out work on or operate any aspect of the Site is notified of this ECA and the Conditions herein and shall take all reasonable measures to ensure any such person complies with the same.
- 1.2 Any person authorized to carry out work on or operate any aspect of the Site shall comply with the Conditions of this ECA.

1.3 The Site shall be operated and maintained at all times including management and disposal of all waste in accordance with the EPA, Reg. 347 and the Conditions of this ECA. At no time shall the discharge of a contaminant that causes or is likely to cause an adverse effect be permitted.

## **2.0 Design, Develop, Build, Operate, Modify and Maintain in Accordance**

2.1 Except as otherwise provided for in this ECA, the Site and Works shall be designed, developed, built, operated, modified and maintained in accordance with the application for this ECA, dated May 7, 2013, the Design and Operations Report as updated from time to time, the Engineer's Report, the application for the Works and any other supporting documentation listed in Schedule "A".

## **3.0 Interpretation**

3.1 Where there is a conflict between a provision of any document, including the application, referred to in this ECA, and the Conditions of this ECA, the Conditions in this ECA shall take precedence.

3.2 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.

3.3 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.

3.4 The requirements of this ECA are severable. If any requirement of this ECA, or the application of any requirement of this ECA to any circumstance, is held invalid or unenforceable, the application of such requirement to other circumstances and the remainder of this ECA shall not be affected thereby.

## **4.0 Other Legal Obligations**

4.1 The issuance of, and compliance with, this ECA does not:

- (1) 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:
  - (a) obtaining site plan approval from the local municipal authority;
  - (b) obtaining all necessary building permits from the local municipal authority Building Services Division;
  - (c) obtaining approval from the Chief Fire Prevention Officer, local municipal authority: or

- (2) 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 ECA.

## **5.0 Adverse Effect**

- 5.1 The Owner and Operator 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 accelerated or additional monitoring as may be necessary to determine the nature and extent of the effect or impairment.
- 5.2 Despite an Owner, Operator or any other person fulfilling any obligations imposed by this ECA the Owner, Operator or any other person remains responsible for any contravention of any other Condition of this ECA 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.

## **6.0 Change of Owner**

- 6.1 The Owner 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 changes:
  - (1) the ownership of the Site or Works;
  - (2) the Operator of the Site or Works;
  - (3) the address of the Owner or Operator;
  - (4) the 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; and
  - (5) the name of the corporation where the Owner 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.
- 6.2 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. In the event of any change in ownership of the Site, other than change to a successor municipality, the Owner shall notify the successor of and provide the successor with a copy of this ECA, and the Owner shall provide a copy of the notification to the District Manager and the Director.

## **7.0 Financial Assurance**

- 7.1 Prior to any wastes being received at the Site, the Owner shall submit to the Director, financial assurance as defined in Section 131 of the EPA, in the amount of fifty eight thousand seven hundred and ninety-four dollars and zero cents (CAD58,794.00). 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 permitted to be on Site at any one time;
- 7.2 Commencing on April 30, 2017, and every three (3) years thereafter, the Owner shall provide to the Director a re-evaluation of the amount of the financial assurance to facilitate the actions required under Condition 7.1. Additional financial assurance, if required, must be submitted to the Director within twenty (20) days of written acceptance of the re-evaluation by the Director;
- 7.3 Commencing on April 30, 2015, the Owner shall prepare and maintain at the Site an updated re-evaluation of the amount of financial assurance required to implement the actions required under Condition 7.1 for each of the intervening years in which a re-evaluation is not required to be submitted the Director under Condition 7.2. The re-evaluation shall be made available to the Ministry, upon request.
- 7.4 The amount of financial assurance is subject to review at any time by the Director and may be amended at his/her discretion; and
- 7.5 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 Owner shall forthwith replace the financial assurance with cash.

## **8.0 Inspections**

- 8.1 No person shall hinder or obstruct a Provincial Officer from carrying out any and all inspections authorized by the OWRA, the EPA, or the PA, of any place to which this ECA relates, and without limiting the foregoing:
- (1) to enter upon the premises where the approved works are located, or the location where the records required by the Conditions of this ECA are kept;
  - (2) to have access to, inspect, and copy any records required to be kept by the Conditions of this ECA;
  - (3) to inspect the Site, related equipment and appurtenances;
  - (4) to inspect the practices, procedures, or operations required by the Conditions of this ECA; and

- (5) to sample and monitor for the purposes of assessing compliance with the terms and Conditions of this ECA or the EPA, the OWRA or the PA.

## **9.0 Information and Record Retention**

- 9.1 Any information requested, by the Ministry, concerning the Site and its operation under this ECA, including but not limited to any records required to be kept by this ECA shall be provided to the Ministry, upon request, in a timely manner.
- 9.2 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 ECA or under any statute, regulation or other legal requirement, in relation to the information, shall not be construed as:
  - (1) an approval, waiver, or justification by the Ministry of any act or omission of any person that contravenes any term or Condition of this ECA or any statute, regulation or other legal requirement; or
  - (2) acceptance by the Ministry of the information's completeness or accuracy.
- 9.3 All records required by the Conditions of this ECA must be retained on Site for a minimum period of five (5) years from the date of their creation.
- 9.4 Any information relating to this ECA and contained in Ministry files may be made available to the public in accordance with the provisions of the Freedom of Information and Protection of Privacy Act, R.S.O. 1990, C. F-31.

## **10.0 Limited Operational Flexibility – Design, Operation and Management**

- 10.1 The Owner may make Modifications to the Site and the Design and Operations Report in accordance with the terms of this Condition and the pre-approved limits of the Operating Envelope as described in the Engineer's Report as detailed in Item (2) of Schedule "A".
- 10.2 For greater certainty, the following Modifications to the Site are permitted as part of the Operating Envelope:
  - (1) the ability to make Modifications to the Site's infrastructure;
  - (2) the ability to make Modifications to the Site's processing operations and equipment;
  - (3) the ability to increase the amount of waste that may be received at the Site within the pre-approved limits of the Operating Envelope; and
  - (4) the ability to increase the amount of waste that may be stored at the Site within the pre-approved limits of the Operating Envelope.
- 10.3 For greater certainty, the following Modifications to the Site are not permitted as part of the



Operating Envelope:

- (1) extending the Site onto adjacent lands;
- (2) changing the function of the approved operations of the Site from a waste disposal site used for the sorting and transfer of solid Municipal Waste;
- (3) accepting additional types of waste including hazardous waste, liquid industrial waste, municipal or industrial sewage, or additional categories of Municipal waste;
- (4) changes to the Site not identified in the Engineer's Report; or
- (5) changes to the Site that have requirements under the Environmental Assessment Act.

10.4 The Owner shall provide a written notification to the District Manager and Director at least fifteen (15) days prior to making Modifications to the Site in accordance with Condition 10.1. At a minimum the notification shall include the following:

- (1) a description of the change to the operations of the Site including an assessment of the anticipated environmental effects of the Modifications;
- (2) updated versions of, or amendments to, all relevant technical documents required by this ECA that are affected by the Modification including but not necessarily limited to an updated Site Plan drawing, Design and Operations Report and the Spill Prevention, Control & Countermeasures Plan including a document control record that tracks all changes that were made to the documents; and
- (3) a statement signed by the Owner and an Independent Professional Engineer declaring that the Modifications made to the Site are done so in accordance with the Operating Envelope, are consistent with industry's best management practices and are not likely to result in an adverse effect.

10.5 Notwithstanding Condition 10.4, if the Modifications made to the Site require an amendment to the Site's Fire Safety Plan the Owner shall obtain the authorization of the local fire services authority prior to instituting the Modifications. A copy of the approved plan must be forwarded to the District Manager.

**11.0 Service Area and Hours of Operations.**

11.1 Only waste that is generated within geographical boundaries of the Province of Ontario shall be accepted at the Site.

11.2 The Site may operate twenty four hours per day, Monday through Saturday unless otherwise limited either by municipal by-laws or the operating hours that are identified in the current Design and Operations Report.

## **12.0 Signage and Security**

12.1 The Owner shall install a sign at the main entrance/exit to the Site on which is legibly displayed the following information:

- (1) the name of the Site and Owner;
- (2) the number of this ECA;
- (3) the telephone number for the Ministry's Spill Action Centre;
- (4) the operating hours of the Site;
- (5) a twenty-four (24) hour telephone number that can be used to reach the Owner in the event of a complaint or an emergency; and
- (6) the type of waste that is approved for receipt at the Site.

12.2 The Owner and Operator shall operate and maintain the Site in a secure manner, with access to the Site regulated and perimeter of the Site secured by fencing or natural features. During non-operating hours, the Site entrance and exit gates shall be locked and the Site shall be secured against access by unauthorized persons.

## **13.0 Approved Waste Types**

13.1 The Owner may only accept the following categories of solid Municipal Waste at the Site:

- (1) waste generated within the residential, industrial, institutional and commercial sectors including construction and demolition waste;
- (2) source separated organics;
- (3) food processing waste;
- (4) leaf and yard waste;
- (5) wood waste;
- (6) tires;
- (7) recyclables; and
- (8) waste electrical and electronic equipment received at the on-site drop-off area.

Provided that the categories and sources of waste are identified in the current Design and Operations Report.

- 13.2 The Owner shall ensure all incoming loads are inspected by a trained attendant to ensure only waste approved under this ECA are received at this Site;
- 13.3 If any incoming waste load is known to, or is discovered to, contain unapproved waste, that load shall not be accepted at the Site; and
- 13.4 If any unapproved waste is discovered on-site, that waste shall be immediately disposed of in accordance with the EPA and Reg. 347.

#### **14.0 Approved Waste Quantities**

- 14.1 The amount of waste that may be received at the Site shall not exceed the amounts identified in the current Design and Operations Report, up to the following Operating Envelope maximums:
- (1) An annualized average of 1,000 tonnes of waste per day equivalent to a maximum of 302,000 tonnes of waste per year; and
  - (2) 1,200 tonnes of waste in any one day.
- 14.2 The amount of residual waste that may be transferred from the Site for final disposal shall not exceed the amounts identified in the current Design and Operations Report, up to the Operating Envelope maximum of an annualized average of 1,000 tonnes of waste per day with an absolute maximum of 1,200 tonnes per day and/or 302,000 tonnes per year.
- 14.3 The maximum amount of waste, including unprocessed waste, in-process waste, processed waste and residual waste that may be stored at the Site at any one time shall not exceed 365 tonnes.
- 14.4 In the event that residual waste and/or processed waste cannot be transferred from the Site, the Owner shall cease accepting any additional waste.

#### **15.0 Waste Storage**

- 15.1 Waste must be stored in accordance with the current Design and Operations Report and at a minimum the Owner shall ensure that:
- (1) all activities related to the unloading, processing and storing of incoming waste, in-process waste and residual waste shall be conducted and stored indoors at all times except as outlined in Condition 15.1(2) to Condition 15.1(4);
  - (2) residential drop-off of small quantities of Municipal Waste, recyclables, and wood waste at the Site may occur outdoors if

deposited directly into covered waste bins. The covered bins will be emptied indoors with other incoming waste when full, or at the end of the business day, whichever comes first;

- (3) tires may be stored outdoors at the Site in a roll-off container, prior to transfer to an approved processor;
- (4) waste electrical and electronic equipment may be stored outdoors at the Site in a Sea-Can container (or Ontario Electronic Stewardship approved equivalent), prior to transfer to an approved processor;
- (5) all putrescible waste shall be removed from the tipping floor within 24 hours of receipt and the tipping floor cleaned as necessary;
- (6) source separated organics shall be stored in a manner which minimizes potential odour impacts using methods that include, but are not limited to, the employment of quick turnover periods, an overhead odour mitigation system, restriction of fugitive emissions and any other means necessary to prevent odour nuisances and impacts.
- (7) Waste, including source separated organics but excluding materials detailed in Condition 15.1 (8), shall not be stored on Site for longer than twenty-four (24) hours, except in the event of equipment failure, receiving site restrictions, highway closures or statutory holidays where the maximum storage period may increase to eighty-four (84) hours; and
- (8) dry recyclable material, waste electrical and electronic equipment, and tires may be stored on site for a period of up to ninety (90) days.

## **16.0 Processing**

- 16.1 Processing carried out at the Site is limited to the sorting and transfer of Municipal Waste as described in the current Design and Operations Report.

## **17.0 Procedures Manual and Preventative Maintenance**

- 17.1 A procedures manual specific to the Site shall be prepared within thirty (30) days of issuance of this ECA and shall be maintained current at all times and kept at the Site in a location that is accessible to Site personnel at all times. The procedures manual shall contain detailed standard operating procedures relating to all aspects of the handling and processing of waste at the Site including contingency procedures to be followed in the event of equipment malfunction, a labour disruption, transportation disruption, inability of receiving sites to accept waste or other business disruption to the operation.
- 17.2 Within ninety (90) days of issuance of the ECA, the Owner shall develop and implement a preventative maintenance program for all on-site equipment associated with the handling and processing of waste. The preventative maintenance program shall be available on Site for inspection by a Provincial Officer upon request.

## **18.0 Design and Operations Report**

- 18.1 The Design and Operations Report shall be retained at the Site; kept up to date; and be available for inspection by Ministry staff.
- 18.2 The Owner may amend the current Design and Operations Report in accordance with Section 10.0 of this ECA.
- 18.3 Changes to the Design and Operations Report, with the exception of changes made under Section 10.0, shall be submitted to the Director for approval before implementation.
- 18.4 If the Owner has made Modifications to the Site in accordance with Section 10.0 the Owner shall ensure that the Site is built, operated and maintained in accordance with the current Design and Operations Report.
- 18.5 The Owner shall maintain a document control record at the Site that tracks all changes that are made to the Design and Operations Report.

## **19.0 Nuisance Control**

- 19.1 The Owner shall operate and maintain the Site such that the dust, odours, vectors, vermin, birds, litter, noise and traffic do not create a nuisance.
- 19.2 If at any time the District Manager has determined that vectors or vermin have become a nuisance, the Owner shall hire a qualified, licensed pest control professional to design and implement a pest control plan for the Site. The pest control plan shall then remain in place until either the Site has been closed or the pest control professional has deemed the nuisance to be remedied.

- 19.3 If at any time the District Manager has determined that litter has become a nuisance, the Owner shall develop a litter control plan, satisfactory to the District Manager, which shall detail all practical steps that the Owner shall implement to control litter at the Site.
- 19.4 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.
- 19.5 If in the event that the District Manager has determined odours to be a persistent cause of nuisance at the Site the Owner shall prepare and submit to the District Manager an Odour Monitoring Program that is designed to detect and identify any odours originating from the operation of the Site which may cause nuisance impacts. The Odour Monitoring Program shall include a survey of sensitive receptors in the vicinity of the Site and shall outline all operational controls, monitoring, measurement and corrective actions, and communication and management reviews required to achieve the objective of managing odour associated with the handling of putrescible waste and source separated organics at the Site in order to prevent or mitigate any odour impacts on the nearby sensitive receptors.
- 19.6 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.
- 19.7 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.

## **20.0 Stormwater Management**

### General

- 20.1 Before the receipt of waste at the Site, the Owner shall establish a stormwater management facility consisting of the controls described in the preamble of this ECA.
- 20.2 The Owner shall ensure that any person authorized to carry out work on or operate any aspect of the Works is notified of this ECA and the Conditions herein and shall take all reasonable measures to ensure any such person complies with the same.

### Expiry of Approval

- 20.3 The approval issued by this ECA will cease to apply to those parts of the Works which have not been constructed within five (5) years of the date of this ECA.

### Upon the Substantial Completion of the Works

- 20.4 Within one year of the Substantial Completion of the Proposed Works, a set of as-built drawings showing the Works “as constructed” shall be prepared. These drawings shall be kept up to date

through revisions undertaken from time to time and a copy shall be retained at the location of the Works or at the operational office of the Owner for the operational life of the Works.

Effluent Objectives

20.5 The Owner shall use best efforts to design, construct and operate the works with the objective that the concentrations of the materials named below as effluent parameters are not exceeded in the effluent from the Works.

<b>Table 1 - Effluent Objectives</b>	
<b>Effluent Parameter</b>	<b>Concentration Objective</b> (milligrams per litre unless otherwise indicated)
Phenols	0.001
Un-ionized Ammonia	0.02
Total Phosphorus	0.03
Copper	0.001 (<20 mg/L CaCO3) 0.005 (>20 mg/L CaCO3)
Iron	0.3
Zinc	0.02

20.6 As a further effluent objective, the Owner shall use best efforts to maintain the pH of the effluent from the works within the range of 6.5 to 8.5, inclusive, at all times.

Monitoring and Recording

20.7 The Owner shall collect stormwater grab samples from the designated sampling locations at a semi-annual frequency (Spring and Fall <sup>NOTE-1\*</sup>) and analyze for the following parameters listed in Table 2:

<b>Table 2 - Stormwater Monitoring</b>	
<b>Sampling Point <sup>NOTE-2*</sup>: SWM-1, SWM-2, SW1, SW2</b>	
<b>Parameters</b>	<b>Parameters</b>
Alkalinity	Total Ammonia as Nitrogen
<i>CBOD5</i>	Total Phosphorus
Conductivity	Total Suspended Solids
Chloride	Turbidity
Chemical Oxygen Demand (COD)	Copper
Oil & Grease (Visible Sheen or Discoloration)	Iron
pH	Zinc
Phenols	Temperature (Field)
Sulphate	Dissolved Oxygen (Field)

**Note-1\*:** Annual samples shall be collected after significant rainfall events (i.e. >25 mm rainfall) resulting in a stormwater discharge from the *Works* .

**Note-2\*:** Sampling Locations:

**SWM-1=** Inlet to Oil/Grit Separator

**SWM-2=** Outlet from Oil/Grit Separator

**SW1-1 =** Upstream of effluent discharge to Sparks Champagne Municipal Drain

**SW1-2 =** Downstream of effluent discharge to Sparks Champagne Municipal Drain

20.8 The methods and protocols for sampling, analysis and recording shall conform, in order of precedence, to the methods and protocols specified in the following:

- (a) the Ministry's Procedure F-10-1, "Procedures for Sampling and Analysis Requirements for Municipal and Private Sewage Treatment Works (Liquid Waste Streams Only), as amended from time to time by more recently published editions;
- (b) the Ministry's publication "Protocol for the Sampling and Analysis of Industrial/Municipal Wastewater" (January 1999), ISBN 0-7778-1880-9, as amended from time to time by more recently published editions; and,
- (c) the publication "Standard Methods for the Examination of Water and Wastewater" (21st edition), as amended from time to time by more recently published editions.

20.9 The measurement frequencies specified in subsection (1) in respect to any parameter are minimum requirements which may, after two (2) years of monitoring in accordance with this Condition, be modified by the District Manager in writing from time to time.

#### Operation and Maintenance of the Works

20.10 The Owner shall prepare an operations manual within six (6) months of Substantial Completion of the Proposed Works, that includes, but not necessarily limited to, the following information:

- (a) operating procedures for routine operation of the Works;
- (b) inspection programs, including frequency of inspection, for the Works and the methods or tests employed to detect when maintenance is necessary;
- (c) contingency plans to handle potential contamination of stormwater runoff from the Site caused by emergency spills or operational conditions of the Site;
- (d) procedures for receiving, responding and recording public complaints related to the Works, including recording any follow up actions taken.

20.11 The Owner shall maintain the operations manual current and retain a copy at the location of the Works or the operational office of the Owner for the operational life of the Works. Upon request, the Owner shall make the manual available to Ministry staff.



- 20.12 The Owner shall inspect the Works at least once a year and, if necessary, clean and maintain the Works to prevent the excessive build-up of sediments and/or vegetation.
- 20.13 The Owner shall maintain a logbook to record the results of these inspections and any cleaning and maintenance operations undertaken, and shall keep the logbook at the site operations office for inspection by the Ministry. The logbook shall include the following:
- (a) the name of the Works; and
  - (b) the date and results of each inspection, maintenance and cleaning, including an estimate of the quantity of any materials removed.

#### Source Water Protection

- 20.14 The Owner shall, within sixty (60) calendar days of the Minister of the Environment posting approval of a Source Protection Plan on the environmental registry established under the Environmental Bill of Rights, 1993 for the area in which this ECA is applicable, apply to the Director for an amendment to this ECA that includes the necessary measures to conform with all applicable policies in the approved Source Protection Plan.

#### Record Keeping

- 20.15 The Owner shall retain for a minimum of **five (5) years** from the date of their creation all records and information related to or resulting from the operation and maintenance and monitoring activities of the Works.

### **21.0 Site Inspections**

- 21.1 Trained Personnel shall carry out a visual inspection of the Site each day the Site is in operation to ensure that:
- (1) the Site is secure;
  - (2) that the operation of the Site is not causing any nuisances including those from dust, odours, vectors, vermin, birds, litter, noise and traffic;
  - (3) that the operation of the Site is not causing any adverse effects on the environment; and
  - (4) that the Site is being operated in compliance with this ECA.
- 21.2 Any deficiencies discovered as a result of an inspection carried out under Condition 21.1 shall be remedied immediately, including temporarily ceasing operations at the Site if needed.
- 21.3 A record of the inspections shall be kept in the daily log book that includes the following information:

- (1) the name and signature of person that conducted the inspection;
- (2) the date and time of the inspection;
- (3) a list of any deficiencies discovered;
- (4) any recommendations for action; and
- (5) the date, time and description of actions taken to remedy deficiency.

## **22.0 Complaints**

22.1 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:

- (1) The Owner shall record and number each complaint, either electronically or in a log book, and shall include the following information:
  - (a) the nature of the complaint;
  - (b) the name, address and the telephone number of the complainant if the complainant will provide this information; and
  - (c) the time and date of the complaint;
- (2) The Owner, upon notification of the complaint, shall initiate appropriate steps to determine all possible causes of the complaint, proceed to take the necessary actions to eliminate the cause of the complaint and forward a formal reply to the complainant; and
- (3) The Owner shall complete and retain on-site a report written 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.

## **23.0 Spill Prevention, Control & Countermeasures Plan**

23.1 All spills, as defined in the EPA, shall be immediately reported to the Ministry's Spill Action Centre at 1-800-268-6060 and to the local municipal authority.

23.2 The Owner shall implement and maintain a Spill Prevention, Control & Countermeasures Plan for the Site. The Spill Prevention, Control & Countermeasures Plan shall include, but not necessarily be limited to:

- (1) emergency response procedures to be undertaken in the event of a spill or process upset, including specific clean up methods for each different type of waste the Site is approved to accept;

- (2) a list of equipment and spill clean up materials available in case of an emergency;
  - (3) contingency procedures to be followed in the event of equipment malfunction, a labour disruption, transportation disruption, inability of receiving sites to accept waste or other business disruption to the operation; and
  - (4) notification protocol with names and telephone numbers of persons to be contacted, including persons responsible for the Site, the Ministry's District Office and Spills Action Centre, the local municipal fire department, the local municipal authority, the local Medical Officer of Health, the Ministry of Labour, and the names and telephone numbers of waste management companies available for emergency response.
- 23.3 (1) The Owner shall review the Spill Prevention, Control & Countermeasures Plan and shall update the plan if necessary whenever Modifications are made to the Site in accordance with Section 10.0 of this ECA; and
- (2) The Owner shall review the Spill Prevention, Control & Countermeasures Plan on an annual basis as a minimum, and shall ensure that the names and telephone numbers of the persons to be contacted as required under Condition 23.2(4) are up-to-date, and that these numbers are prominently displayed and immediately available to all staff and emergency response personnel.
- 23.4 The District Manager shall be notified within thirty (30) days of any changes to the Spill Prevention, Control & Countermeasures Plan.
- 23.5 The equipment, materials and personnel requirements outlined in the Spill Prevention, Control & Countermeasures Plan are required to be kept on Site and 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.
- 23.6 The Owner shall promptly take all necessary steps to contain and clean up any spills or upsets which result from this operation. All spills and upsets shall be recorded in a written log or an electronic file format, as to the nature of the spill or upset, and action taken for clean-up, correction and prevention of future occurrences.

## **24.0 Training**

- 24.1 Before any waste is received on Site, a training plan specific to the Site shall be developed and implemented to ensure that all employees that operate the Site or carry out any activity required under this ECA are trained in its operation.
- 24.2 The training plan shall require and ensure through proper written records that all persons directly involved with activities relating to the Site have been trained with respect to:
- (1) relevant waste management legislation, regulations and guidelines;

- (2) major environmental concerns pertaining to the waste to be handled;
- (3) occupational health and safety concerns pertaining to the processes and wastes to be handled;
- (4) management procedures including the use and operation of equipment for the processes and wastes to be handled;
- (5) the Spill Prevention, Control & Countermeasures Plan and in the procedures to be employed in the event of an emergency;
- (6) specific written procedures for refusal of unacceptable waste loads;
- (7) contingency procedures;
- (8) specific written procedures for the control of nuisance conditions; and
- (9) the requirements of this ECA.

24.3 The Owner shall maintain a written record of training at the Site which includes:

- (1) date of training;
- (2) the name and signature of the person who has been trained; and
- (3) description of the training provided.

24.4 The Owner shall review the training plan and update it as necessary whenever Modifications are made to the Site in accordance with Section 10.0 of this ECA or on an annual basis as a minimum.

24.5 The Owner shall ensure that Trained personnel is/are on duty at all times when the Site is open to carry out any activity required under this ECA.

## **25.0 Record Keeping**

25.1 The Owner shall maintain a daily record either electronically or in a log book which shall include the following information:

- (1) the type, date and time of arrival, source, and quantity (by weight) of all waste received at the Site;
- (2) the date, type, quantity (by weight) and destination of all residual waste and processed waste transferred from the Site;

- (3) a record of any waste refusals which shall include: amounts, reasons for refusal and actions taken;
- (4) a running total of the amount of waste received at the Site for the calendar year and a calculation of the average daily amount of waste that has been received at the Site for the calendar year;
- (5) a running total of the amount of residual waste that has been transferred from the Site for final disposal for the calendar year and a calculation of the average daily amount of residual waste that has been transferred from the Site for final disposal for the calendar year;
- (6) a calculation of the total quantity (by weight) of waste, either processed, unprocessed and residual waste remaining on Site at the end of each operating day;
- (7) a record of the daily inspections required by Condition 21.0; and
- (8) a record of any spills or process upsets at the site, 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 fulfillment of the reporting requirements in the EPA.

25.2 The Owner shall, upon request, make all manuals, plans, records, data, procedures and supporting documentation available to Ministry staff.

## **26.0 Annual Report**

26.1 On or before April 30, 2015, the Owner shall submit to the District Manager, and retain on Site, a written report which covers the period from the commissioning of the Site to December 31, 2014. Thereafter, by April 30 on an annual basis, the Owner shall submit to the District Manager, and retain on Site a written annual report for the previous calendar year. The report shall include, at a minimum, the following information:

- (1) a detailed monthly summary of the information required by Condition 25.1 (1) and 25.1 (2) including an annualized reconciliation between all wastes received and processed at the Site and all residual wastes and processed wastes transferred from the Site;
- (2) a summary of waste loads refused including the generator of the load, the licensed hauler of the load if the generator cannot be determined, the date of refusal and reason for refusal of the load;
- (3) any environmental and operational problems, that are likely to negatively impact the environment, encountered during the operation of the Site and during the facility inspections and any mitigative actions taken;

- (4) a summary of complaints received and the actions taken to mitigate the issue associated with the complaint;
- (5) a summary of any changes to the Engineer's Report and/or the Design and Operations Report that have been approved by the Director since the last annual report;
- (6) a summary of any changes to the Design and Operations Report Design and the Spill Prevention Control and Countermeasures Plan that were made in accordance with Section 10.0 of this ECA; and
- (7) any recommendations to minimize environmental impacts from the operation of the Site and to improve Site operations and monitoring programs in this regard.

26.2 As part of the Annual Monitoring Report, the Owner shall prepare, and submit upon request to the District Manager, a performance report for the Works. The report shall contain, but shall not be limited to, the following information:

- (1) a summary and interpretation of all stormwater monitoring data and an overview of the success and adequacy of the Works;
- (2) a description of any operating problems encountered and corrective actions taken;
- (3) a summary of all maintenance carried out on any major structure, equipment, apparatus, mechanism or thing forming part of the Works;
- (4) a summary of any complaints received during the reporting period and any steps taken to address the complaints;
- (5) any other information the District Manager requires from time to time.

## **27.0 Closure Plan**

27.1 Four (4) months prior to the permanent closure of the Site, the Owner shall submit to the District Manager written notification of the decision to cease activities and a schedule for the implementation of the activities in accordance with the decommissioning activities outlined in Item (3) of Schedule "A".

27.2 The Owner shall submit to the District Manager written notification of the decision to cease activities at the Site and a schedule for the implementation of the activities in accordance with the decommissioning activities outlined in Item (3) of Schedule "A". The notification and schedule shall be submitted either four (4) months prior to the planned permanent closure of the Site or forthwith in the situation of an unplanned permanent closure of the Site or indefinite cessation of Site activities.

27.3 Within ten (10) days after closure of the Site, the Owner shall notify the Director and the District

Manager, in writing, that the Site is closed and that the decommissioning activities have been completed.

## SCHEDULE "A"

*This Schedule "A" forms part of this Environmental Compliance Approval:*

1. Application for an Environmental Compliance Approval, submitted by Lafleche Environmental Inc. and signed by Brian R. King, dated May 7, 2013 including all letters, attachments, drawings and appendices.
2. Engineers Report, Attachment 6 to Item (1) of Schedule "A", dated and stamped April 16, 2013, prepared by Derrick Upton, P. Eng., J. L. Richards & Associates Ltd. and Brian R. King, FEC, P. Eng., PMP, President, Lafleche Environmental Inc.
3. Design and Operations Report, Attachment 5 to Item (1) of Schedule "A", prepared by Derrick Upton, P. Eng., J. L. Richards & Associates Ltd. and Brian R. King, FEC, P. Eng., PMP, President, Lafleche Environmental Inc.
4. "Stormwater Management Brief - Russell Waste Transfer and Processing Facility (Phase I)" dated February 2013 and prepared by J. L. Richards & Associates Limited, Ottawa, Ontario.
5. CD containing Revised Civil Drawings of August 13 2013, and 11 x 17 Hardcopies of Drawings on the CD, prepared by J. L. Richards & Associates Limited, Ottawa, Ontario, dated August 30, 2013.

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

1. The reason for the definitions is to simplify the wording of the subsequent Conditions and define the specific meaning of terms as used in this ECA.
2. The reason for the Conditions in sections 1.0, 3.0, 4.0, 5.0 and 9.0 is to clarify the legal rights and responsibilities of the Owner and Operator.
3. The reason for the Conditions in sections 2.0, 10.0, 16.0, 17.0 and 18.0 is to ensure that the Site is operated in accordance with the application and supporting documentation submitted by the Company, and not in a manner which the Director has not been asked to consider.
4. The reasons for Condition 6.1 is to ensure that the Site is operated under the corporate name which appears on the application form submitted for this ECA and to ensure that the Director is informed of any changes.
5. 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 ECA.

6. The reason for the Conditions in section 7.0 is to ensure that sufficient funds are available to the Ministry to clean up the Site in the event that the Company is unable or unwilling to do so.
7. The reason for Conditions in section 8.0 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 ECA. This Condition is supplementary to the powers of entry afforded a Provincial Officer pursuant to the EPA and OWRA.
8. The reason for Condition 11.1 is to specify the approved service area from which waste may be accepted at the Site.
9. The reason for Condition 11.2 is to specify the hours of operation for the Site.
10. The reason for Condition 12.1 is to ensure that users of the Site are fully aware of important information and restrictions related to Site operations and access under this ECA.
11. The reason for Condition 12.2 is to ensure the controlled access and integrity of the Site by preventing unauthorized access when the Site is closed and no site attendant is on duty.
12. The reasons for Conditions 13.1, and the conditions in sections 14.0, and 15.0 are to specify the types of waste that may be accepted at the Site, the amounts of waste that may be stored at the Site and the maximum rate at which the Site may receive and ship waste based on the Owner's application and supporting documentation.
13. The reason for Condition 13.2 is to ensure that all wastes are properly classified to ensure that they are managed, processed and disposed in accordance with O. Reg. 347, R.R.O. 1990 and in a manner that protects the health and safety of people and the public.
14. The reason for Conditions in section 19.0 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.
15. The reason for Conditions 20.1, 20.2 and 20.3 is to ensure that the Works are built and operated in the manner in which they were described for review and upon which approval was granted. This Condition is also included to emphasize the precedence of Conditions in the ECA and the practice that the ECA is based on the most current document, if several conflicting documents are submitted for review. The Condition also advises the Owners their responsibility to notify any person they authorized to carry out work pursuant to this ECA the existence of this ECA.
16. Condition 20.4 is included to ensure that the Works are constructed in accordance with the ECA and that record drawings of the Works "as constructed" are maintained for future references.
17. Conditions 20.5 through 20.7 is included to enable the Owner to evaluate and demonstrate the performance of the Works on a continual basis, so that the Works are properly operated and maintained at a level which is consistent with the design objectives specified in the ECA and that

the Works does not cause any impairment to the receiving watercourse.

18. Conditions 20.8 through 20.13 are included to require that the Works be properly operated and maintained such that the environment is protected .
19. Condition 20.14 is included to ensure that the Works covered by this ECA will conform to the significant threat policies and designated Great Lakes policies in the Source Protection Plan.
20. The reason for the Conditions in section 21.0 is to ensure that detailed records of Site inspections are recorded and maintained for inspection and information purposes.
21. The reason for the Conditions in section 22.0 is to ensure that any complaints regarding Site operations at the Site are responded to in a timely manner.
22. The reasons for the Conditions in section 23.0 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.
23. The reason for the Conditions in section 24.0 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 the natural environment or any person.
24. The reason for the Conditions in section 25.0 is to provide for the proper assessment of effectiveness and efficiency of site design and operation, their effect or relationship to any nuisance or environmental impacts, and the occurrence of any public complaints or concerns. Record keeping is necessary to determine compliance with this ECA, the EPA and its regulations.
25. The reasons for the Conditions in section 26.0 are 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.
26. The reason for the Conditions in section 27.0 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.

*In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me, the Environmental Review Tribunal and in accordance with Section 47 of the Environmental Bill of Rights, 1993, S.O. 1993, c. 28 (Environmental Bill of Rights), the Environmental Commissioner, within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Environmental Commissioner will place notice of your appeal on the Environmental Registry. Section 142 of the Environmental Protection Act provides that the Notice requiring the hearing 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:*

3. The name of the appellant;
4. The address of the appellant;
5. The environmental compliance approval number;
6. The date of the environmental compliance approval;
7. The name of the Director, and;
8. 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:*

The Secretary\*  
Environmental Review Tribunal  
655 Bay Street, Suite 1500  
Toronto, Ontario  
M5G 1E5

AND

The Environmental Commissioner  
1075 Bay Street, Suite 605  
Toronto, Ontario  
M5S 2B1

AND

The Director appointed for the purposes of  
Part II.1 of the Environmental Protection Act  
Ministry of the Environment  
2 St. Clair Avenue West, Floor 12A  
Toronto, Ontario  
M4V 1L5

**\* Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349, Fax: (416) 314-3717 or [www.ert.gov.on.ca](http://www.ert.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 [www.ebr.gov.on.ca](http://www.ebr.gov.on.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 22nd day of April, 2014



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Tesfaye Gebrezghi, P.Eng.

Director

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

DL/

- c: Area Manager, MOE Cornwall
- c: District Manager, MOE Ottawa
- Dale Phippen, Lafleche Environmental Inc.