

2019

Clean Harbors Canada, Inc.

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2019 EA ANNUAL COMPLIANCE REPORT

This report documents the environmental assessment annual compliance report for the Clean Harbors Lambton Landfill site

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1. Introduction

1.1. Background

This report documents the 2019 environmental assessment annual compliance report for the Clean Harbors Lambton Landfill site.

An Environmental Assessment (EA) was undertaken by Clean Harbors Canada, Inc. (Clean Harbors) to provide additional landfill disposal capacity for hazardous waste at the existing Lambton landfill. The EA was completed in accordance with the Terms of Reference (ToR) following approval of the ToR by the Minister of the Environment and Climate Change in December 2010. The ToR was the first step of the two-step EAA approval process for the proposed undertaking, with the second step being the EA. The EA itself was initiated in March 2011 and formally submitted to the Ministry of the Environment and Climate Change (MOECC) in October 2014. A Notice of Approval to Proceed with the Undertaking, signed by the Minister (on July 15, 2015) and approved by Order in Council (on July 22, 2015), has been received for the project.

Condition 5 of the Notice of Approval (EAB File Number: EA-02-08-02-03) requires that an environmental assessment annual compliance report be prepared for the project. The condition requires that the report describes the proponent's compliance with the conditions of approval set out in the Notice and describes the results of the EA compliance monitoring program.

1.2. The Undertaking

The existing Clean Harbors Lambton facility, which includes the landfill site, is located on Lot 9 and part of Lot 8, Concession 10, St. Clair Township, in the County of Lambton. The Lambton facility is located 15 km southeast of Sarnia, Ontario. For the purpose of the EA, Clean Harbors identified the need for approximately 4.5 million to 5.0 million cubic metres (m³) of new landfill capacity in order for the company to continue to manage waste over a 25 year period. The undertaking will enable Clean Harbors to continue to provide secure disposal services for hazardous waste to their customers.

The preferred undertaking, identified through the EA, involves the vertical expansion of the existing landfill site (i.e. new disposal capacity developed by placing waste over the previously approved and landfilled areas of the site in addition to some new smaller below grade cells). The undertaking will provide additional waste disposal capacity of approximately 3.87 million m³. The total capacity of the landfill expansion (including hydraulic control layer, waste, interim and final cover) is approximately 4.46 million m³.

The existing Lambton Facility includes an area of 121 ha, with the landfill operation covering an area of approximately 56 ha. The vertical expansion of the landfill does not include all historic areas of landfilling (i.e. does not include the area occupied by Cell 18, Sub-cells 1 through 3 at the northwest corner of the Site). Some additional smaller areas will be developed below grade initially as part of the expansion. The area of the landfill footprint, including the vertical expansion, will be approximately 61 ha. In addition, the width of the existing buffer located along the south boundary of the existing Site boundary will be increased by approximately 130 m. This will involve incorporating additional lands currently owned by Clean Harbors into the Facility property. The total area of the Site will thereby be increased to approximately 140 ha.

1.3. Purpose of the Compliance Monitoring Program

This document summarizes the commitments made in the EA by Clean Harbors with respect to mitigation and monitoring, along with the conditions of the EA approval. A Compliance Monitoring Program has been developed outlining how Clean Harbors intends to address the implementation of these various commitments and conditions. Specifically, the compliance monitoring program will address the following:

- EA Commitments for Mitigation and Monitoring
- EA Commitments from Consultation
- EA Notice of Approval Conditions

A schedule for monitoring implementation is also included. An annual Compliance Monitoring Report will be prepared annually to update the implementation status and schedule.

1.4. Purpose of the Annual Compliance Report

As required by Condition 5 of the Notice of Approval, an Annual EA Compliance Report will be prepared by Clean Harbors on or before November 30th of each year. The report will be prepared in a format that provides updates to the “Status and Implementation Schedule” for each commitment listed in Tables 1 and 2. In addition, the “Status and Implementation Schedule” for each condition of approval listed in Table 3 will also be included in the report.

When Clean Harbors has identified that all conditions of the Notice of Approval have been satisfied, this will be identified in the subsequent Annual EA Compliance Report and that no further annual reports will be prepared.

A copy of the EA Annual Compliance Report will be provided to the Director (MOECC) and included in the Annual Landfill Report that is due by April 1st of each year.

2. EA Commitments for Mitigation & Compliance Monitoring

To ensure that the proposed mitigation measures identified during the EA addressed the predicted effects for each discipline, effects monitoring strategies were developed so that any respective environmental effects can be monitored during construction, operation and maintenance of the landfill.

Effects monitoring strategies were developed for the undertaking during the EA to ensure that:

- Predicted net effects are not exceeded;
- Unexpected negative effects are addressed; and
- Implemented mitigation measures are effective.

In addition to effects monitoring, compliance monitoring strategies were also developed to demonstrate that the project has been constructed, operated and maintained in accordance with the mitigation measures and commitments outlined in the EA.

Table 1 summarizes the potential effects, commitments to mitigation and compliance monitoring for the undertaking. The results of compliance monitoring will be reported at the frequencies specified. The compliance monitoring report will include updated details on the fulfillment of the commitments and mitigation measures in this same table format.

Table 1 includes a status update column that provides a summary of the activities conducted by Clean Harbors related to the potential effects from period of the issuances of the Environment Assessment, Notice of Approval (EAB File Number: EA-02-08-02-03, issued July 15, 2015) and the Environmental Compliance Approval A031806, Notice 9 (issued October 19, 2015) to period of November 30, 2019.

Table 1: EA Commitments for Mitigation and Compliance Monitoring

Discipline	Potential Effect	Commitment for Mitigation	Commitment for Monitoring	Implementation Schedule	Status Update
Agriculture	<ul style="list-style-type: none"> Fugitive dust emissions during construction from construction activities and the operation of construction vehicles. Minimal potential effects from weed growth on the interior portion of the excavated berm. 	<ul style="list-style-type: none"> Continue with the implementation of the Fugitive Dust and Odour BMP as required to minimize effects from dust generated during construction. 	<ul style="list-style-type: none"> Track all complaints and conduct follow-up monitoring, as required. 	<ul style="list-style-type: none"> The Fugitive Dust, Odour and Noise BMP has been updated (Sept. 2015) for the landfill expansion and provided to the MOECC. A Complaint Response Protocol is included as part of the BMP to track and investigate any complaints. Any complaints received will be reported on annually. 	<ul style="list-style-type: none"> Reviewed annually during construction and operation. Revised Fugitive Dust, Odour and Noise BMP was submitted by Sept. 2015. Revised BMP submitted to MOECC Regional office by January 31, 2017, for review and approval. <p>No update since 2018 EA Annual Compliance Report.</p>
Archaeology and Cultural Heritage	<ul style="list-style-type: none"> Although a Stage 2 Archaeological Assessment was conducted and no further archaeological work was deemed necessary, as with any construction activity, there is the possibility of discovering undocumented archaeological resources or grave sites during construction. 	<ul style="list-style-type: none"> Contact licensed archaeologist if undocumented archaeological resources are discovered and notify the police or coroner and the Registrar of Cemeteries if human remains are uncovered. 	<ul style="list-style-type: none"> Construction contractor will be made aware of the potential for uncovering archaeological and grave sites and will notify Clean Harbors immediately. Aboriginal communities will be notified of any archaeological resources uncovered during construction. 	<ul style="list-style-type: none"> Construction in the area that was the subject of the Stage 2 Archaeological assessment is not anticipated to occur until approximately 2017. These commitments will be addressed at that time. 	<ul style="list-style-type: none"> Once following construction in area subject to a Stage 2 Archaeological Assessment. Construction has been delayed in this area and now anticipated to occur in approximately 2020. <p>No update since 2018 EA Annual Compliance Report.</p>

Discipline	Potential Effect	Commitment for Mitigation	Commitment for Monitoring	Implementation Schedule	Status Update
Atmospheric Environment – Air Emissions	<ul style="list-style-type: none"> • Predicted off-site POI concentrations of over 150 indicator compounds assessed were compared against MOECC criteria and resulted in predicted POI concentrations of indicator compounds that are all below their respective standards. • Soil and earth moving activities have the potential to create fugitive dust emissions during the short-term construction activities. 	<ul style="list-style-type: none"> • Continue with the implementation of the existing Fugitive Dust and Odour BMP to manage and mitigate potential emissions of particulate. 	<ul style="list-style-type: none"> • Ongoing monitoring will be conducted as per the requirements of the ECA for the facility. • Track all complaints and conduct follow-up monitoring, as required. 	<ul style="list-style-type: none"> • The Fugitive Dust, Odour and Noise BMP has been updated (Sept. 2015) for the landfill expansion and provided to the MOECC. • An air monitoring program has been provided to the MOECC, consistent with the existing ECA, and will be conducted and reported on annually. • A Complaint Response Protocol is included as part of the BMP to track and investigate any complaints. Any complaints received will be reported on annually. 	<ul style="list-style-type: none"> • Reviewed annually during construction and operation. • Revised Fugitive Dust, Odour and Noise BMP was submitted by Sept. 2015. • Revised BMP submitted to MOECC Regional office by January 31, 2017, for review and approval. • Annual air monitoring program has been updated and submitted to MOECC Regional for review and approval. • Complaints are investigated and included in the annual landfill report. <p>No update since 2018 EA Annual Compliance Report.</p>
Atmospheric Environment - Odour	<ul style="list-style-type: none"> • Under normal operations, there are no off-site odour concentrations from the facility and therefore, there are no potential effects anticipated. 	<ul style="list-style-type: none"> • Continue with the implementation of the existing Fugitive Dust and Odour BMP to manage and mitigate potential emissions of odour. 	<ul style="list-style-type: none"> • Track all complaints and conduct follow-up monitoring, as required. 	<ul style="list-style-type: none"> • The Fugitive Dust, Odour and Noise BMP has been updated (Sept. 2015) for the landfill expansion and provided to the MOECC. • A Complaint Response Protocol is included as 	<ul style="list-style-type: none"> • Reviewed annually during construction and operation. • Revised Fugitive Dust, Odour and Noise BMP was submitted by Sept. 2015. • Revised BMP submitted to MOECC

Discipline	Potential Effect	Commitment for Mitigation	Commitment for Monitoring	Implementation Schedule	Status Update
				part of the BMP to track and investigate any complaints. Any complaints received will be reported on annually.	Regional office by January 31, 2017, for review and approval. <ul style="list-style-type: none"> Complaints are investigated and included in the annual landfill report. No update since 2018 EA Annual Compliance Report.
Noise	<ul style="list-style-type: none"> Noise impacts generated during construction activities will benefit from the existing perimeter berm, which will block direct line-of-sight and reduce the temporary construction noise impacts at the off-site receiver locations along Petrolia Line. Noise levels at all receptors are below the MOECC noise limits for landfills. 	<ul style="list-style-type: none"> Preliminary design concept provides sufficient noise mitigation to ensure all receptors will remain below the MOECC noise limits and additional mitigation measures not required. 	<ul style="list-style-type: none"> Track all complaints and conduct follow-up monitoring, as required. 	<ul style="list-style-type: none"> A Complaint Response Protocol is included as part of the BMP to track and investigate any complaints. Any complaints received will be reported on annually. 	<ul style="list-style-type: none"> Complaints are included in the annual landfill report. No update since 2018 EA Annual Compliance Report.
Geology and Hydrogeology (Groundwater Quality)	<ul style="list-style-type: none"> Chemical constituents (including chloride) in the waste are projected to move outward from the landfill to the LCS and Interface Aquifer affecting groundwater quality. 	<ul style="list-style-type: none"> The water that is recovered by the perimeter LCS, the HCL extraction wells and the purge wells installed in the Interface Aquifer will be managed as leachate. The perimeter LCS, extraction wells and purge wells (when once activated) will need to be operated / 	<ul style="list-style-type: none"> Ongoing groundwater quality monitoring will be conducted as per the requirements of the ECA (Waste). 	<ul style="list-style-type: none"> The Design and Operations Report prepared for the landfill expansion describes how the various sources of water collected at the landfill will be managed, including leachate. 	<ul style="list-style-type: none"> Reviewed annually during construction, operation and post-closure. The 2015 Annual Landfill Report which included results from the annual groundwater monitoring program

Discipline	Potential Effect	Commitment for Mitigation	Commitment for Monitoring	Implementation Schedule	Status Update
		<p>maintained for the full contaminating life of the landfill.</p> <ul style="list-style-type: none"> The engineered cover will also need to be maintained in-perpetuity. 		<ul style="list-style-type: none"> The Design and Operations Report prepared for the landfill expansion describes the closure and post closure care activities associated with the landfill expansion. In addition, the financial assurance required to support these future activities has been estimated and provided to the MOECC. A groundwater monitoring program has been provided to the MOECC, consistent with the existing ECA, and will be conducted and reported on annually. 	<p>was released on April 1, 2016.</p> <ul style="list-style-type: none"> The 2016 Annual Landfill Report which included results from the annual groundwater monitoring program was released on April 1, 2017. The 2017 Annual Landfill Report which included results from the annual groundwater monitoring program was released on April 1, 2018. The 2018 Annual Landfill Report which included results from the annual groundwater monitoring program was released on April 1, 2019.
<p>Surface Water (Quality)</p>	<ul style="list-style-type: none"> Surface water quality contributed from overland flow is not expected to change and will continue to be representative of non-impacted areas of the site; in addition, there is no anticipated contribution of groundwater discharge to 	<ul style="list-style-type: none"> The SWTP can be modified or enhanced to address changes in water volumes required for treatment prior to controlled off-site release. Off-site surface water impacts are effectively mitigated as treated surface waters will continue to be held on-site until analytical 	<ul style="list-style-type: none"> Ongoing monitoring of surface water quality will be conducted as per the requirements of the ECA (Waste) prior to release off-site. 	<ul style="list-style-type: none"> The Design and Operations Report prepared for the landfill expansion describes the stormwater management system including collection, storage, treatment and discharge. 	<ul style="list-style-type: none"> Reviewed annually during construction, operation and post-closure. The 2015 Annual Landfill Report which included results from the annual surface water monitoring

Discipline	Potential Effect	Commitment for Mitigation	Commitment for Monitoring	Implementation Schedule	Status Update
	<p>surface water quality within the LCS perimeter.</p>	<p>results confirm the surface water is of a suitable quality for off-site release.</p>		<ul style="list-style-type: none"> • A surface water monitoring program has been provided to the MOECC, consistent with the existing ECA, and will be conducted and reported on annually. 	<p>program was released on April 1, 2016.</p> <ul style="list-style-type: none"> • The 2016 Annual Landfill Report which included results from the annual surface water monitoring program was released on April 1, 2017. • The 2017 Annual Landfill Report which included results from the annual surface water monitoring program was released on April 1, 2018. • The 2018 Annual Landfill Report which included results from the annual surface water monitoring program was released on April 1, 2019.

Discipline	Potential Effect	Commitment for Mitigation	Commitment for Monitoring	Implementation Schedule	Status Update
<p>Natural Environment (Terrestrial Ecosystems)</p>	<ul style="list-style-type: none"> Reduction in wetland area and functions through 0.2 ha of vegetation removal. Edge effects along 450 m of Significant Woodland. Note that edge effects extend 30 m into the woodland which could allow disturbance effects to penetrate deeper into the interior of the forest reducing its natural quality and resulting in trees becoming more susceptible to windthrow, sunscald and desiccation. Loss of 1.07 ha of other, lower quality, natural vegetation. 	<ul style="list-style-type: none"> Create and restore an area of wetland habitat in an area that is equal to that which is removed, to be detailed in a Habitat Compensation Plan prepared as part of the detailed design and ECA (Waste). The newly created wetland should be excavated sufficiently deep in the clay soils to capture and contain water that will support wetland vegetation and suitable wetland plants should be planted. Create wetland that is sufficiently deep to support breeding amphibians and that holds water long enough so amphibians are able to complete their larval aquatic life cycle (i.e., three months). Suitable wetland plantings are recommended within or surrounding the breeding areas. Restore area of forest which is equal to the amount of forest removed through compensation plantings of similar species composition, or native tree and shrub species appropriate to the site. 	<ul style="list-style-type: none"> Monitoring to be detailed in the Habitat Compensation Plan prepared as part of the detailed design and ECA (Waste). 	<ul style="list-style-type: none"> The area of wetland and associated habitat to be removed or disturbed at the site is not expected to occur until Fall 2016. Work on the Habitat Compensation Plan development was initiated in September 2015 in consultation with Aamjiwnaang First Nation and Walpole Island First Nation. The Habitat Compensation Plan, when developed, will include a monitoring component, which will be implemented following creation of the compensation area. 	<ul style="list-style-type: none"> Reviewed annually during construction and operation. Potential habitat removal is not scheduled to occur until approximately 2020. Revisions to the landfill design are currently under consideration by Clean Harbors which may further minimize any wetland and associated habitat removal or disturbance. Clean Harbors will commence consultations with Aamjiwnaang First Nation and Walpole Island First Nation during the Fall of 2019, with the plan to develop a finalized Habitat Compensation Plan in 2020.
	<ul style="list-style-type: none"> Loss of habitat containing larval food plant and foraging habitat of provincially rare 	<ul style="list-style-type: none"> Plant Prickly-ash, to be detailed in a Habitat Compensation Plan to 	<ul style="list-style-type: none"> Monitoring to be detailed in the Habitat 	<ul style="list-style-type: none"> The planting of Prickly-ash as part of a Habitat Compensation 	<ul style="list-style-type: none"> Reviewed annually during construction and operation.

Discipline	Potential Effect	Commitment for Mitigation	Commitment for Monitoring	Implementation Schedule	Status Update
	<p>Giant Swallowtail from removal of 1.51 ha of vegetation removal.</p> <ul style="list-style-type: none"> Avoidance of habitat at southeast woodlot by some wildlife species such as breeding birds due to proximity of landfill operations in the vicinity resulting in noise, dust, ground vibration and frequent human presence. 	<p>provide foraging habitat for adult Giant Swallowtails.</p>	<p>Compensation Plan prepared as part of the detailed design and ECA (Waste).</p>	<p>Plan is not expected to occur until Fall 2016. Work on the Habitat Compensation Plan development was initiated in September 2015 in consultation with Aamjiwnaang First Nation and Walpole Island First Nation.</p> <ul style="list-style-type: none"> The Habitat Compensation Plan, when developed, will include a monitoring component, which will be implemented following planting. 	<ul style="list-style-type: none"> Potential habitat removal is not scheduled to occur until approximately 2020. Revisions to the landfill design are currently under consideration by Clean Harbors which may further minimize any vegetation disturbance or removal. Clean Harbors will commence consultations with Aamjiwnaang First Nation and Walpole Island First Nation during the Fall of 2019, with the plan to develop a finalized Habitat Compensation Plan in 2020.
	<ul style="list-style-type: none"> Loss of one Butternut tree. The landfill operations will be within the 25 m zone of influence of an additional Butternut tree; however, no effects on this tree are anticipated. 	<ul style="list-style-type: none"> Compensation planting for Butternut removal in a ratio of 20:1 (as the tree is measured at 16 cm approximately 1.3 m above ground). Plant seedlings in a suitably protected location following requirements of the Butternut guidelines. 	<ul style="list-style-type: none"> Monitoring to be detailed in the Butternut Compensation Plan. The Plan will be prepared as part of the Notice of Activity to be 	<ul style="list-style-type: none"> Modifications to the conceptual design, as detailed in the Design and Operations Report prepared for the landfill expansion, avoid the removal of any Butternut trees. Construction activities 	<ul style="list-style-type: none"> Reviewed annually during construction and operation. Potential disturbance of a Butternut tree due to construction is not scheduled to occur until approximately 2020.

Discipline	Potential Effect	Commitment for Mitigation	Commitment for Monitoring	Implementation Schedule	Status Update
			submitted to the MNRF.	may still occur within the 25m buffer area of a Butternut tree. <ul style="list-style-type: none"> Construction in the area of the Butternut trees is not expected to occur until Fall 2016. Work on the Habitat Compensation Plan development, including a Butternut Compensation Plan if required, was initiated in September 2015 in consultation with Aamjiwnaang First Nation and Walpole Island First Nation. Once prepared, the Notice of Activity will be submitted to MNRF, if required. 	<ul style="list-style-type: none"> Revisions to the landfill design are currently under consideration by Clean Harbors which may further avoid disturbance of the Butternut tree. Clean Harbors will commence consultations with Aamjiwnaang First Nation and Walpole Island First Nation during the Fall of 2019, with the plan to develop a finalized Habitat Compensation Plan in 2020.
Socio-Economic	<ul style="list-style-type: none"> The extent to which residents can use and enjoy their property may be affected by nuisance effects from both construction and operational activities at the landfill site including noise, odour and air quality. 	<ul style="list-style-type: none"> Continue with the implementation of the Fugitive Dust and Odour BMP as required. 	<ul style="list-style-type: none"> Ongoing monitoring will be conducted as per the requirements of the ECA for the facility. Track all complaints and conduct follow-up monitoring, as required. 	<ul style="list-style-type: none"> The Fugitive Dust, Odour and Noise BMP has been updated (Sept. 2015) for the landfill expansion and provided to the MOECC. An air monitoring program has been provided to the MOECC, consistent with the existing ECA, and will be conducted 	<ul style="list-style-type: none"> Reviewed annually during construction and operation. Revised Fugitive Dust, Odour and Noise BMP was submitted by Sept. 2015. Revised BMP submitted to MOECC Regional office by January 31, 2017, for review and approval.

Discipline	Potential Effect	Commitment for Mitigation	Commitment for Monitoring	Implementation Schedule	Status Update
				and reported on annually. • A Complaint Response Protocol is included as part of the BMP to track and investigate any complaints. Any complaints received will be reported on annually.	• Annual air monitoring program has been updated and submitted to MOECC Region for review and approval. • All complaints are included in the annual landfill report. No update since 2018 EA Annual Compliance Report.
	• There will be a few locations where the landfill will be visible from off-site due to lower berm elevation (at the northeast corner) and in the vicinity of the site entrances from Telfer Road.	• Maintain existing vegetation on the berm to provide visual screen.	• Track all complaints and conduct follow-up monitoring, as required. • Monitor vegetation on berms and re-vegetate as required.	• The Design and Operations Report prepared for the landfill expansion describes that the existing berms will not be altered. • Annual inspection and monitoring of the landfill, consistent with the existing ECA, will be conducted and reported on as part of the annual landfill report. • A Complaint Response Protocol is included as part of the BMP to track and investigate any complaints. Any complaints received	• Reviewed annually during construction and operation. • Revised Fugitive Dust, Odour and Noise BMP was submitted by Sept. 2015. • Revised BMP submitted to MOECC Regional office by January 31, 2017, for review and approval. • Ongoing quarterly inspections are completed by an engineering consultant and the inspections are included in the Annual Landfill Report.

Discipline	Potential Effect	Commitment for Mitigation	Commitment for Monitoring	Implementation Schedule	Status Update
				will be reported on annually.	<ul style="list-style-type: none"> All complaints are included in the annual landfill report. <p>No update since 2018 EA Annual Compliance Report.</p>
Technical	<ul style="list-style-type: none"> Maintenance of the hydraulic control trench (for leachate management) will be required approximately every 50 years (involves excavation and replacement of clear drainage stone trench materials). Final cover will be effective for approximately 50 years and can be repaired to address isolated areas of failure or replaced for significant areas of failure. 	<ul style="list-style-type: none"> Implement appropriate construction techniques and oversight, as well as operational monitoring. 	<ul style="list-style-type: none"> Monitoring of engineered systems will occur as part of regular site operations and performance will be reported as part of annual monitoring report as per ECA (Waste) requirements 	<ul style="list-style-type: none"> The Design and Operations Report prepared for the landfill expansion describes the closure and post closure care activities associated with the landfill expansion. Annual inspection and monitoring of the landfill, consistent with the existing ECA, will be conducted and reported on as part of the annual landfill report. 	<ul style="list-style-type: none"> Reviewed annually during construction and operation. Ongoing quarterly inspections are completed by an engineering consultant and the inspections are included in the Annual Landfill Report. <p>No update since 2018 EA Annual Compliance Report.</p>

3. EA Commitments from Consultation

During the development of the EA, Clean Harbors through consultation with Walpole Island First Nation, Aamjiwnaang First Nation and the Township of St. Clair, submitted a series of commitments to address their comments. **Table 2** summarizes the commitments from consultation and the compliance monitoring plan timeframe to fulfill the commitments. The results of compliance monitoring will be reported at the frequencies specified. The compliance monitoring report will include updated details on the fulfillment of the commitments in this same table format. Clean Harbors will continue to consult with Walpole Island First Nation, Aamjiwnaang First Nation and the Township of St. Clair on these commitments.

Table 2 includes a status update column that provides a summary of the activities conducted by Clean Harbors related to the commitments from period of the issuances of the Environment Assessment, Notice of Approval (EAB File Number: EA-02-08-02-03, issued July 15, 2015) and the Environmental Compliance Approval A031806, Notice 9 (issued October 19, 2015) to period of November 30, 2018.

Table 2: EA Commitments from Consultation and Compliance Monitoring

Commitment Made To:	Commitment	Status	Implementation Schedule	Status Update
Walpole Island First Nation	1. Clean Harbors is committed to regular consultation with the Walpole Island First Nation and to continuing with the Community Liaison Committee.	<ul style="list-style-type: none"> Annually during design, construction and operation. 	<ul style="list-style-type: none"> The ECA application and supporting documentation, including the Design and Operations (D&O) Report, have been provided to Walpole Island First Nation (WIFN) for review and comments. Clean Harbors also met with WIFN representatives to discuss the contents of the application and address any concerns. Walpole Island First Nation has been formally added to the list of invitees for the Lambton Landfill 	<ul style="list-style-type: none"> WIFN continues to be invited to the Lambton Landfill Community Liaison and Advisory Committee. A copy of the 2018 Annual Landfill Report was provided to WIFN for review.

Commitment Made To:	Commitment	Status	Implementation Schedule	Status Update
			Community Liaison and Advisory Committee. <ul style="list-style-type: none"> A copy of the annual landfill report will be provided to WIFN for review annually. 	
	2. Clean Harbors is committed to meeting or exceeding applicable aspects of Ontario Regulation 232/98 as it relates to the design and operation of the landfill expansion.	<ul style="list-style-type: none"> Once as part of the ECA application process. 	<ul style="list-style-type: none"> Ontario Landfill Standards (O. Reg. 232/98) apply to non-hazardous waste landfills and do not apply to the Clean Harbors Lambton Landfill. The Design and Operations Report prepared for the landfill expansion, as part of the ECA application, was developed to meet or exceed the applicable sections of O.Reg. 232/98. 	<ul style="list-style-type: none"> Item complete.
	3. Clean Harbors is committed to consulting with the Walpole Island First Nation on any changes to the conceptual design of the landfill as part of the Environmental Compliance Approval application.	<ul style="list-style-type: none"> Once as part of the ECA application process. 	<ul style="list-style-type: none"> The Design and Operations Report prepared for the landfill expansion describes any changes to the conceptual design of the landfill. The ECA application and supporting documentation, including the D&O Report, have been provided to Walpole Island First Nation for review and comments. Clean Harbors also met with WIFN representatives to discuss the proposed design changes. 	<ul style="list-style-type: none"> Item complete.
	4. Clean Harbors is committed to consulting with the Walpole Island First Nation on the details of how the landfill design will be protective of the groundwater environment, the ongoing monitoring of existing groundwater issues, and	<ul style="list-style-type: none"> Once as part of the ECA application process. 	<ul style="list-style-type: none"> The Design and Operations Report prepared for the landfill expansion describes the landfill leachate collection and management systems and groundwater monitoring program. The ECA application and supporting documentation, including the D&O 	<ul style="list-style-type: none"> Item complete.

Commitment Made To:	Commitment	Status	Implementation Schedule	Status Update
	reviewing and modifying the groundwater monitoring program, as appropriate, as part of the Environmental Compliance Approval application.		Report, have been provided to Walpole Island First Nation for review and comments. Clean Harbors also met with WIFN representatives to discuss the landfill design and the groundwater monitoring program.	
	5. Clean Harbors is committed to consulting with the Walpole Island First Nation on any changes to the surface water management and treatment approach for the landfill expansion as part of the Environmental Compliance Approval application.	<ul style="list-style-type: none"> Once as part of the ECA application process. 	<ul style="list-style-type: none"> The Design and Operations Report prepared for the landfill expansion describes the surface water management and treatment approach. The ECA application and supporting documentation, including the D&O Report, have been provided to Walpole Island First Nation for review and comments. Clean Harbors also met with WIFN representatives to discuss the surface water management system. 	<ul style="list-style-type: none"> Item complete.
	6. Clean Harbors is committed to reviewing and modifying the existing surface water monitoring program, as appropriate, as part of the Environmental Compliance Approval application.	<ul style="list-style-type: none"> Once as part of the ECA application process. 	<ul style="list-style-type: none"> A surface water monitoring program, consistent with the existing ECA, has been prepared as part of the ECA application and supporting documentation and provided to Walpole Island First Nation for review and comments. Clean Harbors also met with WIFN representatives to discuss the surface water monitoring program. 	<ul style="list-style-type: none"> Item complete.
	7. Clean Harbors is committed to reviewing the air quality monitoring program associated with the landfill and the biomonitoring program conducted on the	<ul style="list-style-type: none"> Once as part of the ECA application process. 	<ul style="list-style-type: none"> Clean Harbors completed a review of their existing air quality monitoring and biomonitoring programs related to the landfill, outlining revisions to each monitoring program. The 	<ul style="list-style-type: none"> Item complete.

Commitment Made To:	Commitment	Status	Implementation Schedule	Status Update
	adjacent agricultural lands as part of the Environmental Compliance Approval application.		monitoring program review documents have been provided to Walpole Island First Nation for review and comments. Clean Harbors also met with WIFN representatives to discuss the monitoring programs.	
	8. Clean Harbors is committed to consulting with the Walpole Island First Nation regarding the development of the Habitat Compensation Plan; including, the consideration of traditional uses of flora and fauna and the significance of specific species to local Aboriginal communities.	<ul style="list-style-type: none"> Annually during design, construction and operation. 	<ul style="list-style-type: none"> The area of wetland and associated habitat to be removed or disturbed at the site is not expected to occur until Fall 2016. Work on the Habitat Compensation Plan design and development was initiated in September 2015 in consultation with Walpole Island First Nation. 	<ul style="list-style-type: none"> Clean Harbors will commence consultations with Aamjiwnaang First Nation and Walpole Island First Nation during the Fall of 2019, with the plan to develop a finalized Habitat Compensation Plan in 2020.
	9. Clean Harbors is committed to consultation with the Walpole Island First Nation on future approvals associated with the landfill.	<ul style="list-style-type: none"> Once as part of future approval processes, if required. 	<ul style="list-style-type: none"> The ECA application and supporting documentation, including the Design and Operations Report, have been provided to Walpole Island First Nation for review and comments. Clean Harbors also met with WIFN representatives to discuss the ECA application. Depending on the need for, and scope of, any future ECA amendments, Clean Harbors will consult with Walpole Island First Nation, as appropriate. 	<ul style="list-style-type: none"> Clean Harbors continues to consult with WIFN with regards to future ECA amendments. Item complete.
Aamjiwnaang First Nation	1. Clean Harbors is committed to regular consultation with the Aamjiwnaang First Nation and to continuing with the Community Liaison Committee.	<ul style="list-style-type: none"> Annually during design, construction and operation. 	<ul style="list-style-type: none"> The ECA application and supporting documentation, including the D&O Report, have been provided to Aamjiwnaang First Nation (AFN) for review and comments. Clean Harbors also met 	<ul style="list-style-type: none"> AFN continues to be invited to the Lambton Landfill Community Liaison and Advisory Committee. A copy of the 2018 Annual Landfill Report was provided to AFN for review.

Commitment Made To:	Commitment	Status	Implementation Schedule	Status Update
			with AFN representatives to discuss the contents of the application. <ul style="list-style-type: none"> • Aamjiwnaang First Nation has been formally added to the list of invitees for the Lambton Landfill Community Liaison and Advisory Committee. • A copy of the annual landfill report will be provided to AFN for review annually. 	
	2. Clean Harbors is committed to meeting or exceeding applicable aspects of Ontario Regulation 232/98 as it relates to the design and operation of the landfill expansion.	<ul style="list-style-type: none"> • Once as part of the ECA application process. 	<ul style="list-style-type: none"> • Ontario Landfill Standards (O. Reg. 232/98) apply to non-hazardous waste landfills and do not apply to the Clean Harbors Lambton Landfill. The Design and Operations Report prepared for the landfill expansion, as part of the ECA application, was developed to meet or exceed the applicable sections of O.Reg. 232/98. 	<ul style="list-style-type: none"> • Item complete.
	3. Clean Harbors is committed to consulting with the Aamjiwnaang First Nation on any changes to the conceptual design of the landfill as part of the Environmental Compliance Approval application.	<ul style="list-style-type: none"> • Once as part of the ECA application process. 	<ul style="list-style-type: none"> • The Design and Operations Report prepared for the landfill expansion describes any changes to the conceptual design of the landfill. The ECA application and supporting documentation, including the D&O Report, have been provided to Aamjiwnaang First Nation for review and comments. Clean Harbors also met with AFN representatives to discuss the proposed design changes. 	<ul style="list-style-type: none"> • Item complete.
	4. Clean Harbors is committed to consulting with the	<ul style="list-style-type: none"> • Once as part of the ECA 	<ul style="list-style-type: none"> • The Design and Operations Report prepared for the landfill expansion 	<ul style="list-style-type: none"> • Item complete.

Commitment Made To:	Commitment	Status	Implementation Schedule	Status Update
	<p>Aamjiwnaang First Nation on the details of how the landfill design will be protective of the groundwater environment, the ongoing monitoring of existing groundwater issues, and reviewing and modifying the groundwater monitoring program, as appropriate, as part of the Environmental Compliance Approval application.</p>	<p>application process.</p>	<p>describes the landfill leachate collection and management systems and groundwater monitoring program. The ECA application and supporting documentation, including the D&O Report, have been provided to Aamjiwnaang First Nation for review and comments. Clean Harbors also met with AFN representatives to discuss the landfill design and the groundwater monitoring program.</p>	
	<p>5. Clean Harbors is committed to consulting with the Aamjiwnaang First Nation on any changes to the surface water management and treatment approach for the landfill expansion as part of the Environmental Compliance Approval application.</p>	<ul style="list-style-type: none"> Once as part of the ECA application process. 	<ul style="list-style-type: none"> The Design and Operations Report prepared for the landfill expansion describes the surface water management and treatment approach. The ECA application and supporting documentation, including the D&O Report, have been provided to Aamjiwnaang First Nation for review and comments. Clean Harbors also met with AFN representatives to discuss the surface water management system. 	<ul style="list-style-type: none"> Item complete.
	<p>6. Clean Harbors is committed to reviewing and modifying the existing surface water monitoring program, as appropriate, as part of the Environmental Compliance Approval application.</p>	<ul style="list-style-type: none"> Once as part of the ECA application process. 	<ul style="list-style-type: none"> A surface water monitoring program, consistent with the existing ECA, has been prepared as part of the ECA application and supporting documentation and provided to Aamjiwnaang Island First Nation for review and comments. Clean Harbors also met with AFN representatives to 	<ul style="list-style-type: none"> Item complete.

Commitment Made To:	Commitment	Status	Implementation Schedule	Status Update
	<p>7. Clean Harbors is committed to reviewing the air quality monitoring program associated with the landfill and the biomonitoring program conducted on the adjacent agricultural lands as part of the Environmental Compliance Approval application.</p>	<ul style="list-style-type: none"> Once as part of the ECA application process. 	<p>discuss the surface water monitoring program.</p> <ul style="list-style-type: none"> Clean Harbors completed a review of their existing air quality monitoring and biomonitoring programs related to the landfill, outlining revisions to each monitoring program. The monitoring program review documents have been provided to Aamjiwnaang First Nation for review and comments. Clean Harbors also met with AFN representatives to discuss the monitoring programs. 	<ul style="list-style-type: none"> Item complete.
	<p>8. Clean Harbors is committed to consulting with the Aamjiwnaang First Nation regarding the development of the Habitat Compensation Plan; including, the consideration of traditional uses of flora and fauna and the significance of specific species to local Aboriginal communities.</p>	<ul style="list-style-type: none"> Annually during design, construction and operation. 	<ul style="list-style-type: none"> The area of wetland and associated habitat to be removed or disturbed at the site is not expected to occur until Fall 2016. Work on the Habitat Compensation Plan design and development was initiated in September 2015 in consultation with Aamjiwnaang First Nation. 	<ul style="list-style-type: none"> Clean Harbors will commence consultations with Aamjiwnaang First Nation and Walpole Island First Nation during the Fall of 2019, with the plan to develop a finalized Habitat Compensation Plan in 2020.
	<p>9. Clean Harbors is committed to consultation with the Aamjiwnaang First Nation on future approvals associated with the landfill.</p>	<ul style="list-style-type: none"> Once as part of future approval processes, if required. 	<ul style="list-style-type: none"> The ECA application and supporting documentation, including the Design and Operations Report, have been provided to Aamjiwnaang First Nation for review and comments. Clean Harbors also met with AFN representatives to discuss the ECA application. Depending on the need for, and scope of, any future 	<ul style="list-style-type: none"> Clean Harbors continues to consult with AFN with regards to future ECA amendments. Item complete.

Commitment Made To:	Commitment	Status	Implementation Schedule	Status Update
			ECA amendments, Clean Harbors will consult with Aamjiwnaang First Nation, as appropriate.	

Commitment Made To:	Commitment	Status	Implementation Schedule	Status Update
Township of St. Clair	1. Clean Harbors is committed to entering into a Host Agreement with the St. Clair Township.	<ul style="list-style-type: none"> Completed. 	<ul style="list-style-type: none"> St. Clair Township has executed a Host Agreement with Clean Harbors in accordance with Township By-law 52 of 2014. 	<ul style="list-style-type: none"> Item complete.
	2. Clean Harbors is committed to regular consultation with the St. Clair Township and to continuing with the Community Liaison Committee.	<ul style="list-style-type: none"> Annually during design, construction and operation. 	<ul style="list-style-type: none"> The ECA application and supporting documentation, including the D&O Report, have been provided to St. Clair Township for review and comments. Clean Harbors also met with Township representatives to discuss the contents of the application. The Township is a member of the Lambton Landfill Community Liaison and Advisory Committee. A copy of the annual landfill report will be provided to St. Clair Township for review annually. 	<ul style="list-style-type: none"> St. Clair Township continues to be invited to the Lambton Landfill Community Liaison and Advisory Committee.
	3. Clean Harbors is committed to meeting or exceeding applicable aspects of O. Reg. 232/98 as it relates to the design and operation of the landfill expansion.	<ul style="list-style-type: none"> Once as part of the ECA application process. 	<ul style="list-style-type: none"> Ontario Landfill Standards (O. Reg. 232/98) apply to non-hazardous waste landfills and do not apply to the Clean Harbors Lambton Landfill. The Design and Operations Report prepared for the landfill expansion, as part of the ECA application, was developed to meet or exceed the applicable sections of O.Reg. 232/98. 	<ul style="list-style-type: none"> Item complete.
	4. Clean Harbors is committed to consulting with the St. Clair Township on any changes to the conceptual design of the landfill as part of the ECA application, including a limited	<ul style="list-style-type: none"> Once as part of the ECA application process. 	<ul style="list-style-type: none"> The Design and Operations Report prepared for the landfill expansion describes any changes to the conceptual design of the landfill. The ECA application and supporting documentation, including the D&O Report, have 	<ul style="list-style-type: none"> Item complete.

Commitment Made To:	Commitment	Status	Implementation Schedule	Status Update
	Peer Review of the detailed landfill design.		been provided to St. Clair Township for review and comments. Clean Harbors also met with the Township Peer Review team to discuss the proposed design changes.	
	5. Clean Harbors is committed to consulting with the St. Clair Township on the details of how the landfill design will be protective of the groundwater environment, the ongoing monitoring of existing groundwater issues, and reviewing and modifying the groundwater monitoring program, as appropriate, as part of the ECA application	<ul style="list-style-type: none"> Once as part of the ECA application process. 	<ul style="list-style-type: none"> The Design and Operations Report prepared for the landfill expansion describes the landfill leachate collection and management systems and groundwater monitoring program. The ECA application and supporting documentation, including the D&O Report, have been provided to St. Clair Township for review and comments. Clean Harbors also met with the Township Peer Review Team representatives to discuss the landfill design and groundwater monitoring program. 	<ul style="list-style-type: none"> Item complete.
	6. Clean Harbors is committed to consulting with the St. Clair Township on any changes to the surface water management and treatment approach for the landfill expansion as part of the ECA application.	<ul style="list-style-type: none"> Once as part of the ECA application process. 	<ul style="list-style-type: none"> The Design and Operations Report prepared for the landfill expansion describes the surface water management and treatment approach. The ECA application and supporting documentation, including the D&O Report, have been provided to St. Clair Township for review and comments. Clean Harbors also met with the Township's Peer Review Team representatives to discuss the surface water management system. 	<ul style="list-style-type: none"> Item complete.

Commitment Made To:	Commitment	Status	Implementation Schedule	Status Update
	<p>7. Clean Harbors is committed to reviewing and modifying the existing surface water monitoring program, as appropriate, as part of the ECA application.</p>	<ul style="list-style-type: none"> Once as part of the ECA application process. 	<ul style="list-style-type: none"> The Design and Operations Report prepared for the landfill expansion includes a description of the surface water monitoring program, consistent with the existing ECA. The ECA application and supporting documentation, including the D&O Report, have been provided to St. Clair Township for review and comments. Clean Harbors also met with the Township's Peer Review Team representatives to discuss the surface water monitoring program. 	<ul style="list-style-type: none"> Item complete.
	<p>8. Clean Harbors is committed to reviewing the air quality monitoring program associated with the landfill and the biomonitoring program conducted on the adjacent agricultural lands as part of the ECA application.</p>	<ul style="list-style-type: none"> Once as part of the ECA application process. 	<ul style="list-style-type: none"> Clean Harbors completed a review of their existing air quality monitoring and biomonitoring programs related to the landfill, outlining revisions to each monitoring program. The monitoring program review documents have been provided to St. Clair Township for review and comments. Clean Harbors also met with the Township's Peer Review Team representatives to discuss the monitoring programs. 	<ul style="list-style-type: none"> Item complete.
	<p>9. Clean Harbors is committed to working with the St. Clair Township to obtain any required official plan, zoning by-law or site plan approvals.</p>	<ul style="list-style-type: none"> Once as part of the land use planning approvals process. Official Plan and Zoning By-law 	<ul style="list-style-type: none"> Clean Harbors has worked with the Township in preparing the documentation to support the necessary planning approvals for the landfill expansion. The public meeting for the Official Plan and Zoning By-law amendment approvals was held on May 19, 	<ul style="list-style-type: none"> Item complete.

Commitment Made To:	Commitment	Status	Implementation Schedule	Status Update
		<ul style="list-style-type: none"> amendment approvals completed 	<p>2015. Both amendments were approved by Township Council on May 19, 2015.</p> <ul style="list-style-type: none"> An application for Site Plan approval was submitted to the Township and approved on October 5, 2015. 	
	<p>10. Clean Harbors is committed to maintaining the existing woodlot, as outlined in the EA.</p>	<ul style="list-style-type: none"> Once as part of the ECA application process. 	<ul style="list-style-type: none"> The area of vegetation in the southeast corner of the site to be removed or disturbed is not expected to occur until Fall 2016. Work on the Habitat Compensation Plan development was initiated in September 2015. The ECA application and supporting documentation, including the Design and Operations Report outline that the woodlot along the southern boundary of the site will be maintained. 	<ul style="list-style-type: none"> Clean Harbors will commence consultations with Aamjiwnaang First Nation and Walpole Island First Nation during the Fall of 2019, with the plan to develop a finalized Habitat Compensation Plan in 2020. The Township will be invited to the consultations.
	<p>11. Clean Harbors is committed to maintaining the existing perimeter berm and will monitor and re-vegetate as necessary to ensure the site is appropriately screened from view.</p>	<ul style="list-style-type: none"> Annually during operation. 	<ul style="list-style-type: none"> The ECA application and supporting documentation, including the Design and Operations Report outline that there will be no modifications to the exterior of the existing perimeter berm. Vegetation growth on the berm will be monitored and reported on annually as part of the landfill report, as appropriate. 	<ul style="list-style-type: none"> Item complete.
	<p>12. Clean Harbors is committed to reviewing the existing complaint response procedure with the Community Liaison</p>	<ul style="list-style-type: none"> Once as part of the ECA application process. 	<ul style="list-style-type: none"> Clean Harbors has prepared a Complaint Response Protocol for the Lambton Landfill to address Condition 8 of the Notice of Approval to Proceed with the 	<ul style="list-style-type: none"> Item complete.

Commitment Made To:	Commitment	Status	Implementation Schedule	Status Update
	Committee, including the St. Clair Township.		<p>Undertaking, dated July 15, 2015. The existing Clean Harbors Lambton Landfill Environmental Compliance Approval (ECA), Condition 20, outlines a Complaint Response Procedure that the company must follow. In addition, the Fugitive Dust, Odour and Noise Best Management Plan (BMP) for the Lambton Facility, including the company's Standard Operating Procedure (SOP) 7.1.1, provides a more detailed Complaint Response Protocol.</p> <ul style="list-style-type: none"> The BMP, including the Complaint Response Protocol, was provided to St. Clair Township for review and comments. The Complaint Response Protocol was presented to, and reviewed with, the Community Liaison and Advisory Committee on September 15, 2015. 	
	13. Clean Harbors is committed to consultation with the St. Clair Township on future approvals associated with the landfill.	<ul style="list-style-type: none"> Once as part of future approval processes, if required. 	<ul style="list-style-type: none"> The ECA application and supporting documentation, including the Design and Operations Report, have been provided to St. Clair Township for review and comments. Clean Harbors also met with the Township's Peer Review Team representatives to discuss the ECA application. Depending on the need for, and scope of, any future ECA amendments, Clean Harbors 	<ul style="list-style-type: none"> Clean Harbors continues to consult with St. Clair Township with regards to future ECA amendments. Item complete.

Commitment Made To:	Commitment	Status	Implementation Schedule	Status Update
			will consult with St. Clair Township, as appropriate.	

4. EA Notice of Approval Conditions

The Notice of Approval to Proceed with the Undertaking (see Appendix A) for the Clean Harbors Lambton Landfill includes 14 conditions. Condition 4 requires that Clean Harbors describe compliance with the conditions in the Notice. Table 3 provides a summary of the complete set of conditions. The table also includes a column outlining the status and implementation for each condition. The compliance monitoring report will include updated details on the fulfillment of the commitments in this same table format.

Table 3 includes a status update column that provides a summary of the activities conducted by Clean Harbors related to the conditions from period of the issuances of the Environment Assessment, Notice of Approval (EAB File Number: EA-02-08-02-03, issued July 15, 2015) and the Environmental Compliance Approval A031806, Notice 9 (issued October 19, 2015) to period of November 30, 2018.

Table 3: EA Notice of Approval Conditions Compliance Monitoring

Condition No.	Condition	Status	Implementation Schedule	Status Update
1	Definitions	<ul style="list-style-type: none"> Acknowledged 	<ul style="list-style-type: none"> Not applicable 	<ul style="list-style-type: none"> Not applicable.
2	General Requirements			
	2.1 The proponent shall comply with the provisions in the Environmental assessment which are hereby incorporated in this approval by reference except as provided in these conditions and as provided in any other approval or permit that may be issued for the site.	<ul style="list-style-type: none"> Acknowledged. Compliance will be reported in an annual compliance report. 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> Ongoing.

Condition No.	Condition	Status	Implementation Schedule	Status Update
	2.2 The proponent shall fulfill all commitments made in the Environmental Assessment.	<ul style="list-style-type: none"> Acknowledged. 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> Ongoing.
	2.3 These conditions do not prevent more restrictive conditions being imposed under other statutes.	<ul style="list-style-type: none"> Acknowledged. 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> Not applicable.
3	Public Record and Submission of Documents			
	3.1 Where a document is required for the public record, the proponent shall provide: <ul style="list-style-type: none"> a). two copies of the document to the Director and b). one copy to the Regional Director and the District Manager; and c). one copy to the Clerks of the Township of St. Clair and the County of Lambton; 	<ul style="list-style-type: none"> Acknowledged. 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> Ongoing.
	3.2 The EAB file number EA-02-08-02-03 and the EAIMS number 09001 shall be quoted on the documents submitted to the ministry pursuant to this Notice.	<ul style="list-style-type: none"> Acknowledged. 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> Ongoing.
	3.3 For every document submitted to the ministry, the proponent shall clearly identify which condition the document is meant to fulfill	<ul style="list-style-type: none"> Acknowledged. 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> Ongoing.
	3.4 Documents may be provided electronically where appropriate. The ministry may request that the document be provided in hardcopy.	<ul style="list-style-type: none"> Acknowledged. 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> Ongoing.
4	Compliance Monitoring Program			
	4.1 The proponent shall prepare and submit to the Director for the public record, an Environmental Assessment compliance monitoring program.	<ul style="list-style-type: none"> This document forms the Compliance Monitoring Program 	<ul style="list-style-type: none"> Draft submitted to the Director on October 7, 2015. Final submitted in November 2015. 	<ul style="list-style-type: none"> Annual Compliance Report being submitted annually prior to November 30.
	4.2 The compliance monitoring program shall be submitted 30 days before the commencement of construction or such other date as agreed to in writing by the Director.	<ul style="list-style-type: none"> On October 7, 2015 Clean Harbors sent the Director a letter regarding the commencement of construction for the Lambton Landfill Expansion. It was stated 	<ul style="list-style-type: none"> Draft submitted to the Director on October 7, 2015. Final submitted in November 2015. 	<ul style="list-style-type: none"> Item complete.

Condition No.	Condition	Status	Implementation Schedule	Status Update
		<p>that construction must begin immediately following Environmental Compliance Approval in order to avoid closure of the landfill,</p> <ul style="list-style-type: none"> On October 9, 2015 the Director agreed to in writing for submission to occur immediately following receipt of the Environmental Compliance Approval and prior to the construction of the undertaking. This document forms the Compliance Monitoring Program 		
	<p>4.3 The compliance monitoring program shall describe how the proponent will monitor its fulfilment of:</p> <p>a). the provisions of the Environmental Assessment with respect to mitigation measures, consultation with the public and Aboriginal communities, and additional studies and work to be carried out;</p> <p>b). all other commitments made by the proponent in the Environmental Assessment and the approval process for the Environmental Assessment with respect to mitigation measures, consultation with the public and Aboriginal communities, and additional studies and work to be carried out; and</p> <p>c). all conditions included in the Notice.</p>	<ul style="list-style-type: none"> This Compliance Monitoring Program outlines how Clean Harbors intends to monitor fulfilment of the EA. 	<ul style="list-style-type: none"> Complete 	<ul style="list-style-type: none"> Item complete.
	<p>4.4 The compliance monitoring program must contain an implementation schedule for all provision, commitments and conditions set out in Condition 4.3.</p>	<ul style="list-style-type: none"> This Compliance Monitoring Program includes an implementation schedule for the EA commitments and conditions. 	<ul style="list-style-type: none"> Completed 	<ul style="list-style-type: none"> Item complete.
	<p>4.5 The Director may require the proponent to amend the compliance monitoring program at any time. Should an amendment be required to</p>	<ul style="list-style-type: none"> Acknowledged. 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> No change.

Condition No.	Condition	Status	Implementation Schedule	Status Update
	the program, the Director will notify the proponent, in writing, of the required amendment and the date by which the proponent must submit the amended program to the Director.			
	4.6 The compliance monitoring program, as it may be amended by the Director, must be carried out by the proponent.	<ul style="list-style-type: none"> Acknowledged. 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> No change.
	4.7 The proponent shall make the compliance monitoring program documentation available to the ministry or its designate upon request, in a timely manner, when so requested by the ministry.	<ul style="list-style-type: none"> Clean Harbors has submitted the Compliance Monitoring Program to the Director and will provide additional copies upon request. 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> Ongoing.
5	Compliance Reporting			
	5.1 The proponent shall prepare an annual compliance report which describes the proponent's compliance with the conditions of approval set out in this Notice and which describes the results of the Environmental Assessment compliance monitoring program.	<ul style="list-style-type: none"> Acknowledged. 	<ul style="list-style-type: none"> Annually 	<ul style="list-style-type: none"> Ongoing.
	5.2 The proponent shall include in its annual compliance report a section which summarizes its work with the Aboriginal communities during the implementation of the undertaking, including details regarding any concerns raised by the Aboriginal communities and how they have been considered and responded to.	<ul style="list-style-type: none"> The annual compliance report will include a summary of Clean Harbors work with Aboriginal communities related to the undertaking. 	<ul style="list-style-type: none"> Annually 	<ul style="list-style-type: none"> Ongoing.
	5.3 The first annual compliance report shall be submitted to the Director, for the public record, within one year from the start of construction and shall cover all activities of the previous 12 month period.	<ul style="list-style-type: none"> Clean Harbors will submit the first annual compliance report within one year from the start of construction. 	<ul style="list-style-type: none"> Tentatively scheduled for October 2016 	<ul style="list-style-type: none"> Annual Compliance Report being submitted annually.
	5.4 Subsequent compliance reports shall be submitted to the Director, for the public record, on or before November 30 of each year thereafter. Each compliance report shall cover all activities of the previous 12 month period.	<ul style="list-style-type: none"> Clean Harbors will submit an annual compliance report each year covering the previous 12 month period. 	<ul style="list-style-type: none"> By November 30, 2016 and before November 30th of each following year. 	<ul style="list-style-type: none"> Ongoing.

Condition No.	Condition	Status	Implementation Schedule	Status Update
	5.5 The proponent shall submit annual compliance reports until all conditions are satisfied, or until 5 years after completion of the closing of the landfill.	<ul style="list-style-type: none"> Acknowledged. 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> Ongoing.
	5.6 When all conditions have been satisfied, the proponent shall indicate in the annual compliance report that this is its final submission and that all conditions in this Notice have been satisfied.	<ul style="list-style-type: none"> Acknowledged. 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> Ongoing.
	5.7 The proponent shall retain, either on site or in another location approved by the director, copies of the annual compliance reports for each reporting year and any associated documentation of compliance monitoring activities.	<ul style="list-style-type: none"> Clean Harbors will retain copies of the annual compliance reports at the landfill site office and make available the reports on the facility website as noted in Section 6 of this document. 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> Ongoing.
	5.8 The proponent shall make the compliance reports and supporting documentation available to the ministry or its designate upon request in a timely manner when so requested by the ministry.	<ul style="list-style-type: none"> Acknowledged. 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> Ongoing.
6	Community Liaison Committee			
	6.1 The proponent shall make a reasonable effort to maintain a CLC in respect of the site to provide a forum for public concerns to be raised and for mitigation measures to be discussed where appropriate.	<ul style="list-style-type: none"> Clean Harbors has committed to maintaining the existing Community Liaison and Advisory Committee (CLAC). 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> Ongoing. The CLAC meetings continue to occur.
	6.2 If there is no interest from the public in continuing the existing CLC or establishing and participating in a new CLC (once sufficient notice has been given) it may be discontinued. If discontinued, the proponent shall publish a notice at least annually inviting expressions of interest in established or re-establishing the CLC.	<ul style="list-style-type: none"> Acknowledged. 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> Ongoing. The CLAC meetings continue to occur.
	6.3 If continued or re-established, the CLC shall serve as the focal point for dissemination, review and exchange of information as well as	<ul style="list-style-type: none"> Acknowledged. 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> Ongoing. The CLAC meetings

Condition No.	Condition	Status	Implementation Schedule	Status Update
	sharing of any monitoring results relevant to the undertaking.			continue to occur.
7	Good Neighbours Program			
	7.1 The proponent shall make a reasonable effort to maintain the existing GNP in respect of the site.	<ul style="list-style-type: none"> Clean Harbors will consult with the local community through the CLAC on the continuation of the existing Good Neighbour Program (GNP). 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> Ongoing.
	7.2 If there is no interest from the public in continuing the existing GNP or establishing and participating in a new GNP (once sufficient notice has been given) it may be discontinued. If discontinued, the proponent shall publish a notice at least annually inviting expressions of interest in establishing or re-establishing the GNP.	<ul style="list-style-type: none"> Acknowledged. 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> Ongoing.
8	Complaint Protocol			
	8.1 The proponent shall prepare and implement a complaint protocol on how it will deal with and respond to inquiries and complaints with respect to the undertaking.	<ul style="list-style-type: none"> Clean Harbors has prepared a Complaint Response Protocol for the Lambton Landfill. The existing Clean Harbors Lambton Landfill Environmental Compliance Approval (ECA), Condition 20, outlines a Complaint Response Procedure that the company must follow. In addition, the Fugitive Dust, Odour and Noise Best Management Plan (BMP) for the Lambton Facility, including the company's Standard Operating Procedure (SOP) 7.1.1, provides a more detailed Complaint Response Protocol. 	<ul style="list-style-type: none"> Completed 	<ul style="list-style-type: none"> Item complete.
	8.2 The proponent shall submit the complaint protocol to the Director, for the public record, 30 days before the commencement of	<ul style="list-style-type: none"> On October 7, 2015 Clean Harbors sent the Director a letter regarding the commencement of 	<ul style="list-style-type: none"> Draft submitted to the Director on October 7, 2015. 	<ul style="list-style-type: none"> Item complete.

Condition No.	Condition	Status	Implementation Schedule	Status Update
	<p>construction or such other date as agreed to in writing by the Director.</p>	<p>construction for the Lambton Landfill Expansion. It was stated that construction must begin immediately following Environmental Compliance Approval in order to avoid closure of the landfill,</p> <ul style="list-style-type: none"> On October 9, 2015 the Director agreed to in writing for submission to occur immediately following receipt of the Environmental Compliance Approval and prior to the construction of the undertaking. Clean Harbors has submitted the Complaint Protocol to the Director and will provide additional copies upon request. 		
	<p>8.3 The Director may require the proponent to amend the complaint protocol at any time. Should an amendment be required, the Director will notify the proponent, in writing, of the required amendment and the date by which the proponent must complete the amendment and submit it to the Director.</p>	<ul style="list-style-type: none"> Acknowledged. 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> Ongoing. No amendment requested.
	<p>8.4 The complaint protocol, as it may be amended by the Director, must be carried out by the proponent.</p>	<ul style="list-style-type: none"> Acknowledged. 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> Ongoing.
<p>9</p>	<p>Consultation with Aboriginal Communities</p>			
	<p>9.1 The proponent shall continue to consult with the Aboriginal communities during the detailed design and implementation of the undertaking.</p>	<ul style="list-style-type: none"> The ECA application and supporting documentation, including the Design and Operations Report, have been provided to Aamjiwnaang First Nation and Walpole Island First Nation for review and comments. 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> Ongoing.

Condition No.	Condition	Status	Implementation Schedule	Status Update
		<p>Clean Harbors also met with AFN and WIFN representatives to discuss the ECA application. Depending on the need for, and scope of, any future ECA amendments, Clean Harbors will consult with Aamjiwnaang First Nation and Walpole Island First Nation as appropriate.</p>		
	<p>9.2 During the detailed design and implementation of the undertaking, the proponent shall consider and respond to any concerns regarding the undertaking raised by Aboriginal communities.</p>	<ul style="list-style-type: none"> The ECA application and supporting documentation, including the Design and Operations Report, have been provided to Aamjiwnaang First Nation and Walpole Island First Nation for review and comments. Clean Harbors also met with AFN and WIFN representatives to discuss the ECA application. Depending on the need for, and scope of, any future ECA amendments, Clean Harbors will consult with Aamjiwnaang First Nation and Walpole Island First Nation, as appropriate. 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> Ongoing.
	<p>9.3 The proponent shall include a summary of its consultation with the Aboriginal communities as part of the Environmental Compliance Approval application(s).</p>	<ul style="list-style-type: none"> Comments received from Aamjiwnaang First Nation and Walpole Island First Nation during their review of the ECA application and supporting documentation, including the Design and Operations Report, have been recorded in a tracking table. Clean Harbors has prepared responses to each comment which were included in 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> Ongoing.

Condition No.	Condition	Status	Implementation Schedule	Status Update
		the tracking table. A copy of the tracking table has been provided to the MOECC.		
10	Terrestrial Environment			
	10.1 The proponent shall consult with Aboriginal communities regarding the development of the habitat compensation plan as part of the detailed design and Environmental Compliance Approval, including consideration of traditional uses of flora and fauna, the significance of species to local Aboriginal communities, and native plant rescue.	<ul style="list-style-type: none"> Work on the Habitat Compensation Plan development was initiated in September 2015 in consultation with Aamjiwnaang First Nation and Walpole Island First Nation. 	<ul style="list-style-type: none"> Ongoing. 	<ul style="list-style-type: none"> Clean Harbors will commence consultations with Aamjiwnaang First Nation and Walpole Island First Nation during the Fall of 2019, with the plan to develop a finalized Habitat Compensation Plan in 2020.
11	Groundwater and Surface Water			
	11.1 The proponent shall submit its updated groundwater and surface water monitoring program developed during the Environmental Assessment as part of their application for a Wastewater Environmental Compliance Approval.	<ul style="list-style-type: none"> An updated groundwater monitoring program and a description of the surface water monitoring program have been submitted to MOECC as part of the ECA application for the landfill expansion. 	<ul style="list-style-type: none"> Completed. 	<ul style="list-style-type: none"> Item complete.
12	Odour			
	12.1 The proponent shall submit its updated air quality monitoring program and its fugitive dust and odour management plan developed during the Environmental Assessment as part of their application for an Air Environmental Compliance Approval.	<ul style="list-style-type: none"> An updated air quality monitoring program and a revised Fugitive Dust, Odour and Noise Best Management Plan have been submitted to MOECC as part of the ECA application for the landfill expansion. 	<ul style="list-style-type: none"> Completed. 	<ul style="list-style-type: none"> Item complete.
13	Climate Change Considerations			

Condition No.	Condition	Status	Implementation Schedule	Status Update
	13.1 The proponent will amend the environmental monitoring plans to incorporate landfill gas monitoring and a landfill gas trigger mechanism plan into the program as part of their application for a Waste Environmental Compliance Approval. Further, the proponent will document any landfill gas generated at the site and will assess the need to incorporate engineered systems to manage the landfill gas including applying for an amendment to the Environmental Compliance Approval.	<ul style="list-style-type: none"> As a condition of the ECA for the landfill expansion, a gas assessment program is being prepared for submission to the MOECC by December 15, 2015. 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> The gas monitoring program was approved by MECP on September 22, 2017. The first two monitoring events were conducted in the summer of 2018 and the summer of 2019 and the report submitted to MECP for review.
14	Other Permits and Approvals			
	14.1 The proponent shall obtain other necessary permits and approvals including, but not limited to, those that are committed to in the Environmental Assessment.	<ul style="list-style-type: none"> Clean Harbors has obtained the required Official Plan and Zoning By-law amendments from St. Clair Township. Clean Harbors will obtain any additional permits and approvals, as necessary. 	<ul style="list-style-type: none"> Ongoing. 	<ul style="list-style-type: none"> Ongoing.

5. Consultation

The 2019 EA Compliance Report includes ongoing consultation and engagement with St. Clair Township, Aamjiwnaang First Nation and Walpole Island First Nation in order to fulfill the commitments outlined. Consultation and engagement may take many different forms and will be specific to the needs of each aboriginal community and the Township. This is expected to include review of reports and documentation, technical and informal meetings, and presentations, if requested.

Clean Harbors also committed to continuing with the Community Liaison and Advisory Committee (CLAC) for the facility. The status and implementation schedule for the various EA commitments will be reviewed during the regularly scheduled CLAC meetings.

Consultation and engagement activities undertaken in the course of fulfilling the EA commitments and conditions of approval will be documented in the annual compliance report.

6. Annual EA Compliance Report

As required by Condition 5 of the Notice of Approval, a 2019 Annual EA Compliance Report has been prepared by Clean Harbors and will be updated annually on or before November 30th of each year. The report will be prepared in a format that provides updates to the “Status and Implementation Schedule” for each commitment listed in Tables 1 and 2. In addition, the “Status and Implementation Schedule” for each condition of approval listed in Table 3 will also be included in the report.

When Clean Harbors has identified that all conditions of the Notice of Approval have been satisfied, this will be identified in the subsequent Annual EA Compliance Report and that no further annual reports will be prepared.

A copy of the Annual EA Compliance Report will be provided to the Director (MOECC) and included in the annual landfill report.