

ENVIRONMENTAL PROTECTION AND ENHANCEMENT ACT

BEING CHAPTER E-12 R.S.A. 2000 (the "Act")

Amendment No. 11

to

ENFORCEMENT ORDER NO. EO-2011/03-NR

Cleanit Greenit Composting System Inc.
1300, 10020 – 101A Avenue NW
Edmonton, Alberta
T5J 3G2

-and-

Kirstin Castro-Wunsch
7222-119 Street NW
Edmonton, Alberta
T6G 1V6

[hereinafter collectively referred to as "the Parties"]

WHEREAS Enforcement Order No. EO-2011/03-NR [the "EO"] was issued to the Parties on December 13, 2011;

WHEREAS on March 2, 2012, in response to a written request from Cleanit Greenit Composting System Inc. ["Cleanit Greenit"], Amendment #2 to the EO was issued to the Parties, amending the dates in Clauses 11 and 14 of the EO from March 16, 2012 to April 23, 2012.

WHEREAS on April 19, 2012, in response to a written request from Cleanit Greenit, Amendment #3 to the EO was issued to the Parties, further amending the dates in Clauses 11 and 14 of the EO from April 23, 2012, to May 25, 2012;

WHEREAS on May 30, 2012, in response to a written request from Cleanit Greenit, Amendment #4 to the EO was issued to the Parties, further amending the dates in Clauses 11 and 14 of the EO from May 25, 2012, to June 29, 2012, and amending the dates in Clause 12(h) from June 29, 2012, to September 14, 2012;

WHEREAS based on the submissions made by the Parties at a June 29, 2012 meeting, the Director issued to the Parties Amendment #5 to the EO, amending the date in Clause 8(s) of the EO from June 29, 2012 to August 30, 2013;

WHEREAS due to changes that occurred since the EO was issued on December 13, 2011, plans presented by the Parties on October 11, 2012, and the information contained in a 2012 Aerated Windrows Transition Plan submitted to the Director by the Parties, the Director was of the belief that a further amendment to the EO was necessary, and Amendment #6 to the EO was issued January 8, 2013;

WHEREAS on May 24, 2013, in response to the Parties' written request, the Director removed clause 2 from the original EO through the issuance of Amendment #7;

WHEREAS in response to an August 15, 2013 written request from the Parties, the Director issued Amendment #8 to the Parties on September 12, 2013, changing the due date for the Soil Impact Delineation Report from June 28, 2013 to July 31, 2014;

WHEREAS as set out in detail in Amendment #9, issued to the Parties on April 30, 2021, throughout 2014 -2021, AEP continued to work to collect information regarding:

- the volume of Material and pile heights on the Lands;
- the types of wastes accepted;
- the management of the surface water storage pond;
- the status of the site liner on the Lands;
- adverse impacts to groundwater;
- odours produced from the facility; and
- overall operations;

WHEREAS among other requirements, Amendment #9 required the Parties to submit:

- a Groundwater Remedial Action Plan, and
- an Ambient Air Monitoring Program Plan;

WHEREAS in response to a May 27, 2021, request from the Parties, on June 15, 2021, the Director issued Amendment #10, changing the due dates for the monthly Waste Material Removal Reports and extending the due date for the Groundwater Remedial Action Plan from May 31, 2021 to June 21, 2021;

WHEREAS on June 30, 2021, counsel for the Parties submitted a document dated June 28, 2021, titled "Ambient air monitoring at Cleanit Greenit Composting facility" prepared as a proposal to the Parties, by AIRDAR, stating the document relates to EO Clauses 29 - 37;

WHEREAS on July 23, 2021, the Director sent a letter to Cleanit Greenit, in response to letters received from Cleanit Greenit's counsel on June 25 & 29, and July 8, 2021, which:

- Clarified, and identified deficiencies, regarding Enforcement Order clauses 1, 3, 4, 5, 6, 11, 12, 13, 14, 20, 27, 28, 29, 30, 38, and 39;
- Advised that AEP air monitoring experts, could not complete a review of the information submitted for clause 29 and that AEP would arrange a meeting between the Parties' air experts and AEP air experts after additional information was received;
- Explained Enforcement Order clauses 31, 32, 33, 34, 36, 37, 40 and 41, which were dependent on submission of and authorization to implement the Ambient Air Monitoring Program Plan and the Groundwater Remedial Action Plan; and
- Acknowledged the Parties concerns with a July 7, 2021 Warning Letter issued to the Parties;

WHEREAS on August 10, 2021, the Director acknowledged receipt of the July 2021 Groundwater Remedial Action Plan, which was submitted by the Parties' consultant on July 29, 2021, 38 days after the June 21, 2021 deadline;

WHEREAS on August 16, 2021, counsel for the Parties submitted additional air monitoring technical information as requested by AEP in the Director's July 23, 2021, letter;

- AEP's air monitoring experts reviewed the new technical data and found that it did not meet the requirements of the Enforcement Order.

WHEREAS an AEP groundwater specialist reviewed the July 2021 Groundwater Remedial Action Plan and identified the following deficiencies and potential adverse environmental impacts:

- lack of soils monitoring and sampling to be conducted at the proposed monitoring well locations west of MW7 and northwest of MW6;
- lack of plans to analyze all groundwater samples for parameters in Table 1, section 1.5 of the Standards for Composting Facilities in Alberta (Alberta Environment, 2007) ('the 2007 Standards');
- compost overlaying the perimeter berm has the potential to create leachate;
- no engineered drawings or other technical information from a qualified third party had been provided to confirm the presence of a liner system, or that ditches had been constructed to prevent leachate from leaving the Lands or pooling below the Materials on the Lands; and
- identification of multiple surface water storage pond re-shaping events and the lack of third party testing for confirmation that the pond liner meets the 2007 Standards;

WHEREAS the July 2021 Groundwater Remedial Action Plan also indicated that water from concrete cutting, mixed wood and used/spent fertilizer were added to the list of items no longer accepted by the facility

WHEREAS on September 27, 2021, the Director responded to a September 3, 2021, letter from Cleanit Greenit's counsel, which was seeking further clarity on EO clauses. The Director provided detailed responses regarding EO clauses 1, 4, 5, 6, 11-13, 27, 28, 29, 30, 31, 32, 33-37, 38, 39, 40 and 41, including descriptions of the deficiencies in Cleanit Greenit's August 16, 2021 submission for the Ambient Air Monitoring Program Plan, and the July 2021 Groundwater Remedial Action Plan;

WHEREAS on October 15, 2021, the Director confirmed by email to Cleanit Greenit's counsel;

- that re-contouring the site to meet the slope requirements would trigger the 2007 Standards, with respect to clause 38(d);
- that the 2007 Standards are applied with respect to EO clause 38(f), and that the Parties had referenced the 2007 Standards in their July 2019 Groundwater Remediation Action Plan submitted to the Director;
- those types of wood that may be accepted for composting and those wooden materials that cannot be accepted;

WHEREAS on October 20, 2021, the Director and an AEP air monitoring expert met with representatives of AIRDAR to:

- review the technical capabilities of the AIRDAR system as submitted by Cleanit Greenit to AEP; and
- advise AIRDAR, that it would need to demonstrate that an Ambient Air Monitoring Program Plan for Cleanit Greenit based on the AIRDAR technology, would meet the requirements of the Enforcement Order.

WHEREAS on November 17, 2021, the Director met with Cleanit Greenit, Cleanit Greenit's counsel and Cleanit Greenit's groundwater consultant. At the meeting, Cleanit Greenit inquired about the regulatory requirements that may be applicable to site closure, and the Director advised that the EO will be reviewed to determine how site closure, removal of material and reclamation would occur;

WHEREAS on January 18, 2022, the Director received a letter from Cleanit Greenit that attached a document dated January 14, 2022 and entitled "Supporting the Presence of a Liner" (the "2022 Liner Report").

WHEREAS the Director sent a letter to Cleanit Greenit on January 20, 2022 advising Cleanit Greenit that the 2022 Liner Report does not meet the requirements of EO clause 38(d), and reminded the Parties that the 2007 Standards regarding the requirements of an acceptable liner

apply to clause 38(d);

WHEREAS on February 11, 2022, the Director provided a letter to Cleanit Greenit's counsel in response to Cleanit Greenit's counsel statements regarding difficulty understanding the requirements of the EO:

- The Director summarized 10 occasions between June 30, 2021, and January 10, 2022, wherein the Director previously addressed the Parties concerns by providing clarification of the EO clauses;
- The Director provided specific responses to further clarify outstanding deficiencies for Enforcement Order clauses 11-13, 29, 30, 31, 32, 33-37, 38, 39, 40, and 41; and
- The Director also required that a revised Ambient Air Monitoring Program Plan, and a revised Groundwater Remedial Action Plan, which address the deficiencies identified by the Director in the September 27, 2021 letter to the Parties, be submitted by March 4, 2022;

WHEREAS on March 1, 2022, the Director responded to a February 25, 2022 letter from Cleanit Greenit's counsel, requesting a further extension to the March 4, 2022 deadline for submission of the Groundwater Remedial Action Plan and the Ambient Air Monitoring Program Plan on the basis of staff shortages at Cleanit Greenit. As the reports were being prepared by third party consultants and not Cleanit Greenit staff, no extension was granted;

WHEREAS on March 4, 2022, the Director received from Cleanit Greenit's counsel two documents, one entitled Groundwater Remedial Action Plan Revision 1, and one document entitled Air Quality Monitoring Proposal prepared by the Alberta Capital Airshed for Cleanit Greenit;

WHEREAS on May 2, 2022, the Parties submitted an updated Operations Plan (dated April 29, 2022) to the Director;

WHEREAS on June 1, 2022, the Director responded to a May 25, 2022 letter from Cleanit Greenit's counsel enquiring about the timeline of a post-June30, 2022 closure plan under section 23(1) of the *Code of Practice for Compost Facilities* (January 14, 2022).

- The Director advised that, as the Parties will no longer hold a registration after June 30, 2022, the Code of Practice will no longer apply to the Parties;
- In response to Cleanit Greenit's counsel's comment about AEP's failure to respond to the March 4, 2022, submission of the Groundwater Remedial Action Plan, the Director advised that the March 4, 2022 Groundwater Remedial Action Plan Revision 1 did not address all of the deficiencies identified in the Director's September 27, 2021, and February 11, 2022, letters and that the plan remains unapproved;
- The Director requested details of the groundwater remediation work the Parties state they have commissioned be provided for the Director's consideration;

WHEREAS on June 8, 2022, Cleanit Greenit's Counsel provided a letter advising that the groundwater remediation work which had been planned by the Parties has been cancelled (electro-magnetic investigation work) in anticipation of direction from AEP on groundwater remediation:

Inspection - May 5, 2022

WHEREAS on May 5, 2022, an AEP Environmental Protection Officer (EPO) completed an inspection of the facility and the Lands, and found a number of non-compliances under the Code and the EO, as amended, including;

- a. Code section 6(1)(d), inadequate run-off control and management system that provides protection of surface water quality in accordance with COP section 7(4);
- b. Code section 7(1), the April 2022 updated Operations Plan indicates in section 2.1.2 under Refused Materials that "At the time of updating this Operational Plan, CG is refusing foreign matter – glass, metal, plastic, synthetic polymers, rocks or rubber", however a quantity of foreign matter was observed in various piles on the Lands;
- c. Code section 7(4), the current site configuration is capable of permitting offsite release of leachate and/or surface run-off;
- d. Code section 7(5), waste is not screened from compost feedstock at the facility, resulting in large volumes of waste across the site, which is present across the facility;
- e. Code section 8(3), the 2021 Annual Groundwater Monitoring Report notes that Chloride levels in groundwater monitoring wells MW-6 and MW-8c continue to be elevated and exhibit an upward trend;
- f. EO-2011/03-NR, clause 13, effective March 1, 2013, the Parties shall only accept waste, if that waste will be composted using the Aerated Windrow System, as the Parties do not have any Aerated Windrow Systems in place any waste accepted for composting they are in contravention of this condition;

WHEREAS during the May 5, 2022 inspection, Cleanit Greenit's Operations Manager, Marco Castro-Wunsch, stated that the surface runoff would flow off-site in the event of a precipitation event, which is contrary to the Code sections 6(1)(d) and 7(4), and the EPO observed Material piles that are sloped down onto the top of the facility berm surrounding the facility, such that precipitation would run off-site, exiting the Lands;

WHEREAS during the May 5, 2022, inspection, Cleanit Greenit stated that Cleanit Greenit accepts up to 50% plastic contamination per load of Source Separated Organics , this was also confirmed by the presence of large piles of Material on the Lands that contained plastics and other non-compostable materials, which is contrary to the Cleanit Greenit's April 2022 Operations Plan, COP section 7(6) and EO Amendment #6 clause 13;

Inspection – July 27, 2022

WHEREAS on July 27, 2022, an AEP EPO completed an inspection of the facility and the Lands, and found a number of non-compliances under the Code and the EO, as amended, including;

- a. Code section 6(1)(b), Cleanit Greenit has reported that the facility Lands do not meet the required 2 percent slope for surface water management;
- b. Code section 6(1)(d), inadequate run-off control and management system that provides protection of surface water quality in accordance with COP section 7(4);
- c. Code section 7(1), the Cleanit Greenit updated 2022 Operations Plan, states at paragraphs 2.1.2 and 2.4.7 that, CG is refusing foreign, non-compostable matter – glass, metal, plastic, synthetic polymers, rocks or rubber, however a significant amount of non-compostable matter was present in several areas on the Lands;
- d. Code section 7(1), the site design capacity is for up to 45,000 m³ of materials. AEP data collected on August 9, 2022 shows that the total materials on the site is 75,487 m³;
- e. Code section 7(4), surface water management system is not connected to the runoff containment pond;
- f. Code section 7(6), non-compostable materials that result from preparation of the feedstock or from the screening of compost shall be removed from the compost facility and properly disposed of when the amount exceeds the storage capacity specified in the design plan required in section 6(1). There were large quantities of plastics and other material in areas outside of the storage area for these materials;
- g. Code section 7(7), the bird deterrent system is ineffective;
- h. Code section 8(3), the 2021 Annual Groundwater Monitoring Report notes that Chloride levels in groundwater monitoring wells MW-6 and MW-8c continue to be elevated and exhibit an upward trend;
- i. Code section 12, Cleanit Greenit has reported no contraventions where AEP has identified many non-compliances in both the May 5, 2002 and the July 27, 2022 inspections;
- j. EO clause 13 (see Amendment #6), effective March 1, 2013, the Parties shall only accept waste, if that waste will be composted using the Aerated Windrow System, the facility does not have any Aerated Windrow Systems in place;

WHEREAS during the July 27, 2022 inspection, the AEP EPO also observed the following:

- Running the full perimeter of the Lands, is a berm (the “Perimeter Berm”) ranging in height from approximately .5 metres to 2 metres above Ground Surface, constructed of various Material;
- The flattened top of the Perimeter Berm is used as a road for vehicles to access various locations on the Lands;
- The flattened top of the Perimeter Berm is, at many points, angled away from the facility;

- Several piles of Material inside the Perimeter Berm are taller than the Perimeter Berm and come into direct contact with the berm, such that any surface water flowing down the sides of the Material piles would then flow freely onto the top of, and across the Perimeter Berm, down the outside of the Perimeter Berm, and then flow unimpeded off of the Lands and onto surrounding property;

WHEREAS for the purposes of this EO, the uppermost limit of the mineral soils on the Lands is referred to as the "Ground Surface", and is depicted in the Figure at Appendix 1 of this Amendment;

WHEREAS as identified in previous amendments to the EO, a significant portion of the Lands, immediately above the Ground Surface, but beneath the Materials piles, is overlain by a layer of Material, sometimes referred to as "the protective layer, or "protective base layer". The layer of Material is of unknown quality and of a volume estimated to be between 19,905.5 – 26,800m³. For the purposes of this EO, this layer between the Ground Surface and the Piles is referred to as the "Base Layer", and is depicted in the Figure at Appendix 1 of this Amendment;

WHEREAS as of September 8, 2022, there existed twelve (12) piles of Material on the Lands, which, for the purposes of this EO, have been numbered Piles 1-12, as depicted in the Figure at Appendix 3 of this Amendment;

WHEREAS on March 30, 2021, Registration No. 218439-00-00 held by Cleanit Greenit was cancelled effective June 30, 2022;

WHEREAS on August 26, 2022, the Court of Queen's Bench denied Cleanit Greenit's application for a stay of the registration cancellation decision;

WHEREAS on September 8, 2022, AEP determined that an estimated 3651.56m³ of un-composted Waste was present on the Lands, which the Parties have no legal authority to compost;

WHEREAS the Parties have not received a new authorization to operate a compost facility or conduct any other activity on the Lands;

WHEREAS since the compost facility will no longer be operating after August 26, 2022, the Ambient Air Monitoring Report required under EO clause 29 is no longer required;

WHEREAS the Parties have not adequately addressed the deficiencies AEP identified in their July 2021 Groundwater Remedial Action Plan, as communicated to the Parties in the Director's September 27, 2021, February 11, 2021, and June 1, 2022 letters;

WHEREAS the Parties have not addressed the contraventions or deficiencies identified by the Director regarding surface water management, waste management and groundwater remediation;

WHEREAS as a result of the activities conducted by the Parties on the Land, the contraventions of the Code, and the ongoing contraventions of the legal requirements the Parties are bound by in the EO, there continue to exist adverse impacts to groundwater, and risks of adverse impacts to surface water on and surrounding the Lands;

WHEREAS Greg Smith, Regional Assurance Manager, Regulatory Assurance North, has been appointed a Director for the purposes of issuing and amending Enforcement Orders under the Act (the "Director");

THEREFORE, I, Greg Smith, Director, pursuant to section 212 of the *Environmental Protection and Enhancement Act*, DO HEREBY ORDER:

45. Each of the following clauses is deleted;
- a. Amendment #6 to EO-2011/03-NR, clauses: 1, 2, 3, 4, 5, 6, 11, 12, 13, 14 and 20; and
 - b. Amendment #9 to EO-2011/03-NR, clauses: 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 38, 39, 40, and 41.

Surface Water Management

46. By October 28, 2022, and continuing until otherwise directed by the Director in writing, the Parties must:
- a. remove all Material within 2 metres of the inside boundary of the base of the entire Perimeter Berm down to the Ground Surface, as depicted in the figure attached as Appendix 2 to this Amendment; and
 - b. slope all Material on the Lands to not greater than 75 degrees when measured from the toe of the base of the pile slope, as depicted in the figure attached as Appendix 2 to this Amendment.
47. The Parties must immediately, and continuing until otherwise directed by the Director in writing,:
- a. not
 - (i) release;
 - (ii) cause the release of; or
 - (iii) allow the release of
 - any surface water on the Lands to any location off the Lands; and
 - b. direct all surface water on the Lands to the Surface Water Storage Pond.

Materials Removal

48. Unless otherwise required in this EO, the Parties shall immediately dispose of all Material removed from the Lands, other than Finished Compost, to an Approved Waste Management Facility.
49. By November 4, 2022, the Parties shall remove from the Lands, all Material in each of the following, as identified in the Figure in Appendix 3 to this Amendment:
 - a. Pile 1;
 - b. Pile 2;
 - c. Pile 3; and
 - d. Pile 4.
50. By November 11, 2022, the Parties must do each of the following:
 - a. remove from the Lands all of the Base Layer beneath each of the Piles 1, 2, 3 and 4; and
 - b. dispose of all of the removed Base Layer at an Approved Waste Management Facility.
51. By November 25, 2022, the Parties shall remove from the Lands, all Material in Pile 7, as identified in the figure in Appendix 3 to this Amendment.
52. By October 31, 2023, the Parties may screen the Material in Piles 5, 6, 8, 9, 10, and 11, as identified in the Figure in Appendix 3 to this Amendment.
53. The Parties must do each of the following with all Waste arising from the actions taken under Clause 52:
 - a. capture all Waste with a device that prevents both entrainment of Waste in the air, and all other off-site release of Waste;
 - b. transfer all Waste to on-site bins;
 - c. remove each bin from the Lands within 24 hours of the bin being filled; and
 - d. dispose of all the contents of each bin at an Approved Waste Management Facility.
54. By November 15, 2023, the Parties must:
 - a. remove from the Lands; and
 - b. dispose of at an Approved Waste Management Facility
all Materials in all Piles that were not screened by October 31, 2023.
55. By November 30, 2023, the Parties must:
 - a. remove from the Lands all of the Base Layer on all of the Lands; and
 - b. dispose of all of the removed Base Layer at an Approved Waste Management Facility.

Groundwater Remediation

57. By August 30, 2024, the Parties must submit to the Director a written Geophysical Survey Report, that:

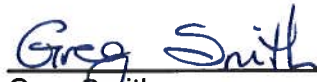
- a. is signed by an independent third-party qualified professional currently registered and in good standing with APEGA, excluding all employees of any corporation of which Ms. Kirstin Castro-Wunsch is a director; and
 - b. contains all of the detailed results and a discussion of each of the requirements described in Clause 58.
58. In carrying out the Geophysical Survey, the Parties must do each of the following:
- a. Confirm in writing the installation of each of the proposed boreholes and monitoring wells included in the March 4, 2022, Groundwater Remedial Action Plan Revision 1;
 - b. By November 15, 2022, collect representative groundwater samples from all monitoring wells included in the March 4, 2022, Groundwater Remedial Action Plan Revision 1, and analyze each sample for at least each of the following;
 - i. Coliforms;
 - ii. General inorganics, including: pH, chloride, sodium, sulphate, cations, and anions;
 - iii. Nutrient parameters, including: nitrate, nitrite, TOC, TKN, and total phosphorus;
 - iv. Petroleum hydrocarbons; and
 - v. Metals; and
 - c. Between May 1, 2023, and July 31, 2023, collect representative groundwater samples from all monitoring wells included in the March 4, 2022, Groundwater Remedial Action Plan Revision 1, and analyze each sample for at least each of the following;
 - i. Coliforms;
 - ii. General inorganics, including: pH, chloride, sodium, sulphate, cations, and anions;
 - iii. Nutrient parameters, including: nitrate, nitrite, TOC, TKN, and total phosphorus;
 - iv. Petroleum hydrocarbons; and
 - v. Metals; and
 - d. Collect representative samples of the earthen materials that compose the sides and base of the surface water storage pond; and analyze each sample for at least each of each of the following;
 - i. General inorganics, including: pH, chloride, sodium, sulphate, cations, and anions;
 - ii. Nutrient parameters, including: nitrate, nitrite, TOC, TKN, and total phosphorus;
 - iii. Petroleum hydrocarbons; and
 - iv. Metals.
 - e. Conduct a complete delineation of the vertical and lateral extent of all substances released from the activities on the Lands, in all:
 - i. Soil;
 - ii. Subsoil;
 - iii. Bedrock;
 - iv. Surface water; and
 - v. Groundwateron and under the Lands, and on and under all land, immediately adjacent the Lands;

59. If the Geophysical Survey Report is found deficient by the Director, the Parties shall in writing correct all deficiencies identified by the Director, by the date specified by the Director.

Reporting

60. Beginning on November 10, 2022, and continuing until otherwise required by the Director in writing, on or before the 10th day of each month the Parties must submit each of the following reports in writing to the Director;
- Total volume of Materials removed from the Lands in the previous calendar month, as required in clauses 49, 50, 51, 54 and 55;
 - Total volume of Waste removed from the Lands in the previous calendar month, as required by Clause 53; and
 - The receipt from each disposal at each Approved Waste Management Facility at which the Parties disposed of Waste or Materials from the Lands, in accordance with this EO.

DATED at the City of Edmonton in the Province of Alberta, this 19th day of OCTOBER, 2022.



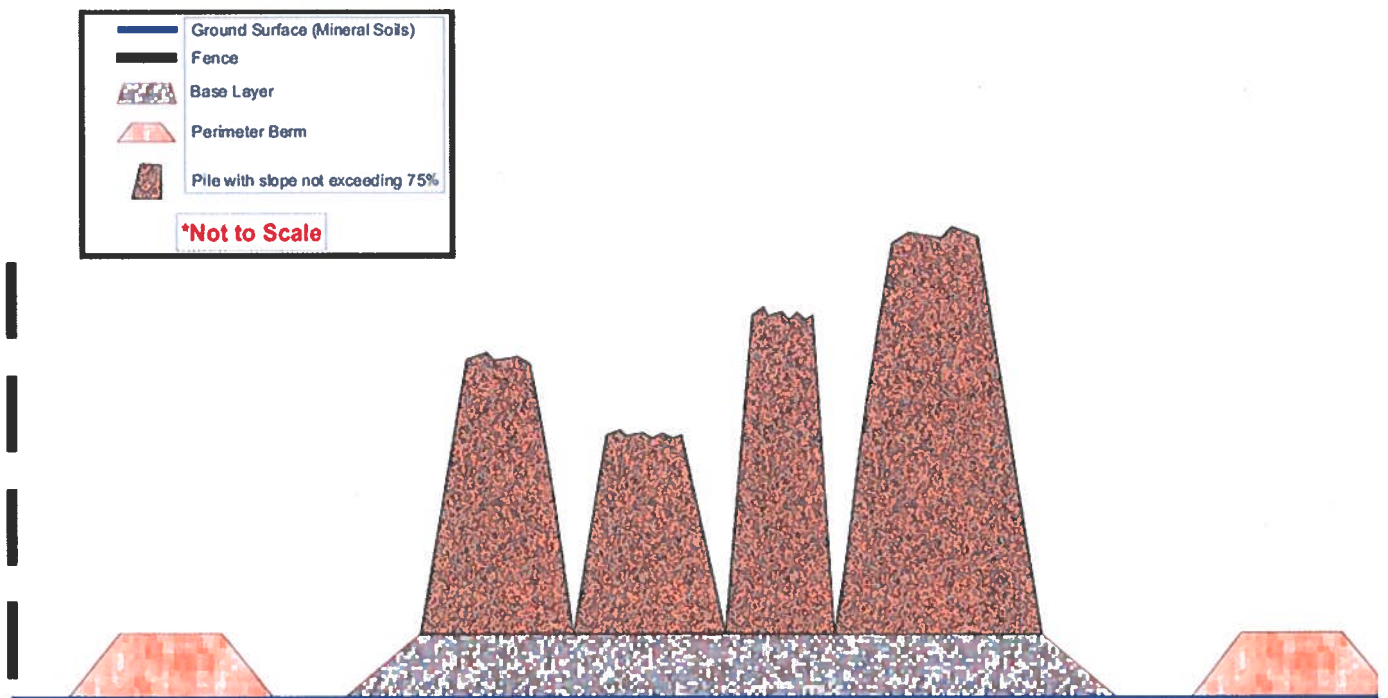
Greg Smith
Regulatory Assurance Manager
Regulatory Assurance Division

Section 91 of the *Environmental Protection and Enhancement Act* may provide a right of appeal against this decision to the Alberta Environmental Appeals Board. There may be a strict time limit for filing such an appeal. A copy of section 91 is enclosed. For further information, please contact the Board Secretary at #306 Peace Hills Trust Tower, 10011 - 109 Street, Edmonton, Alberta, T5J 3S8; telephone (780) 427-6207; fax (780) 427-4693.

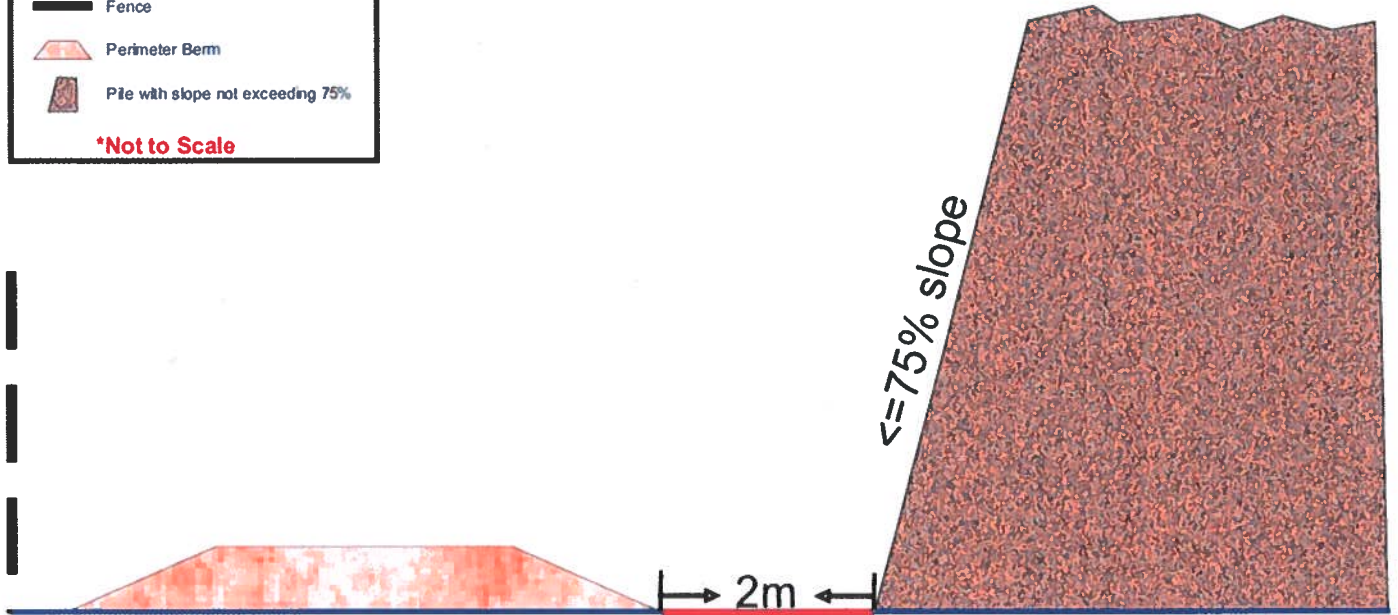
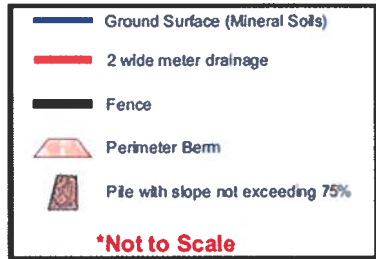
Notwithstanding the above requirements, the Party(ies) shall obtain all necessary approvals in complying with this order.

Take notice that this environmental protection order is a remedial tool only, and in no way precludes any enforcement proceedings being taken regarding this matter under this Act or any other legislation.

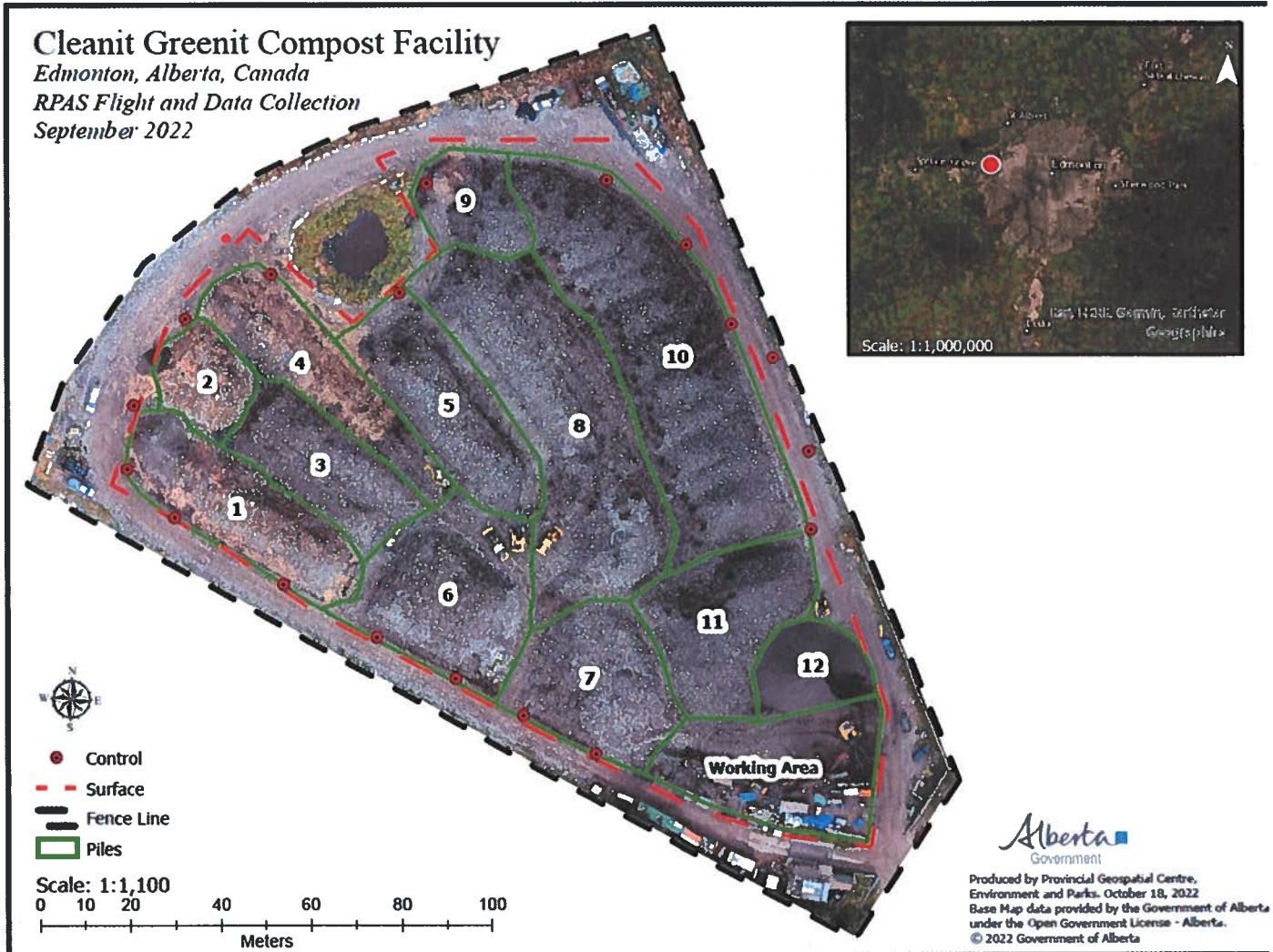
Appendix 1

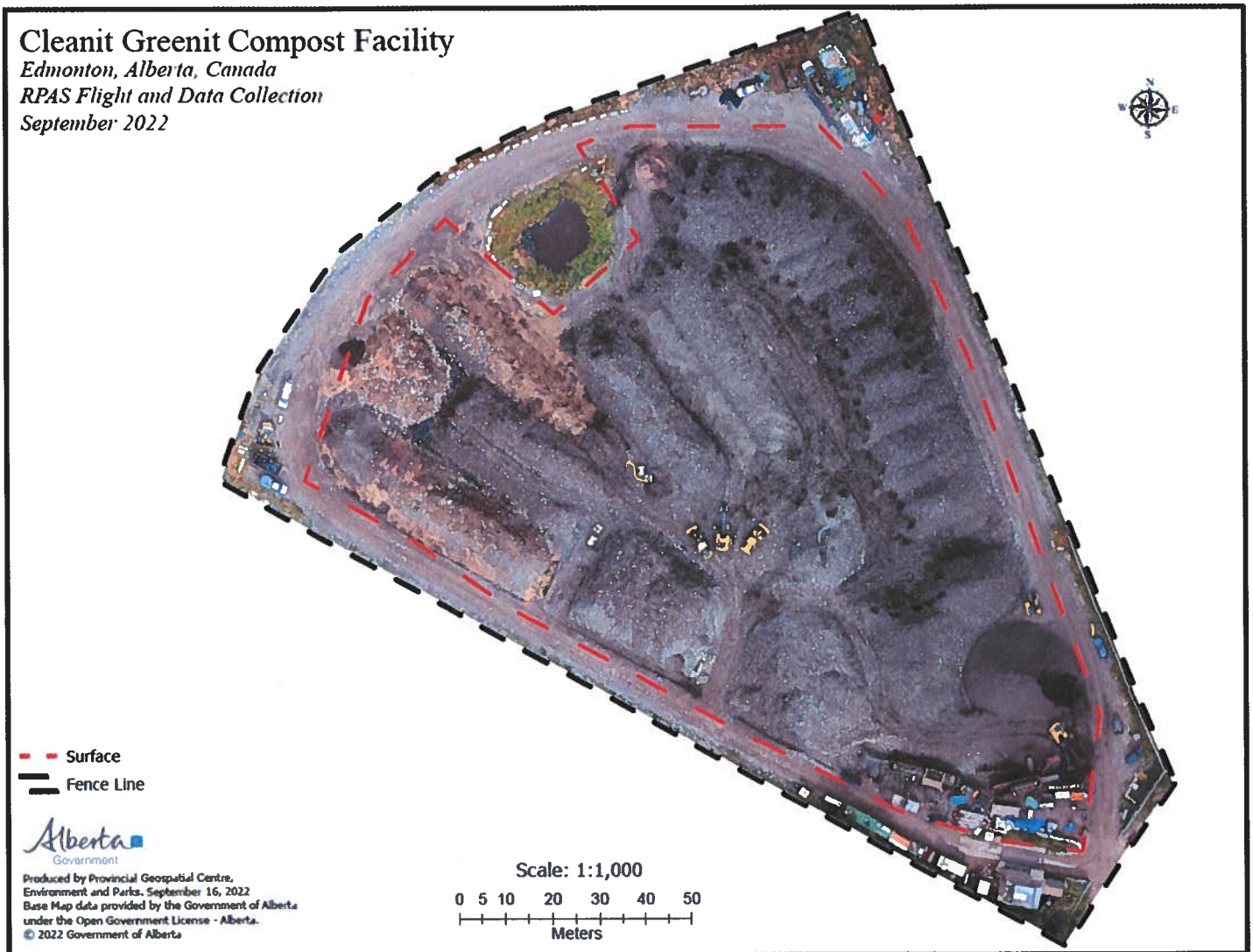


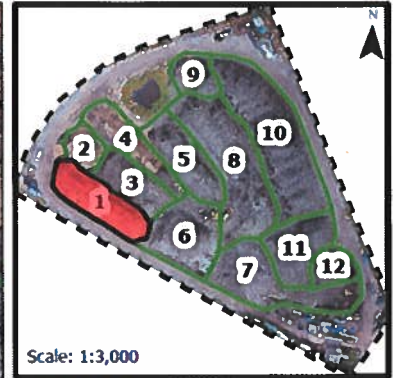
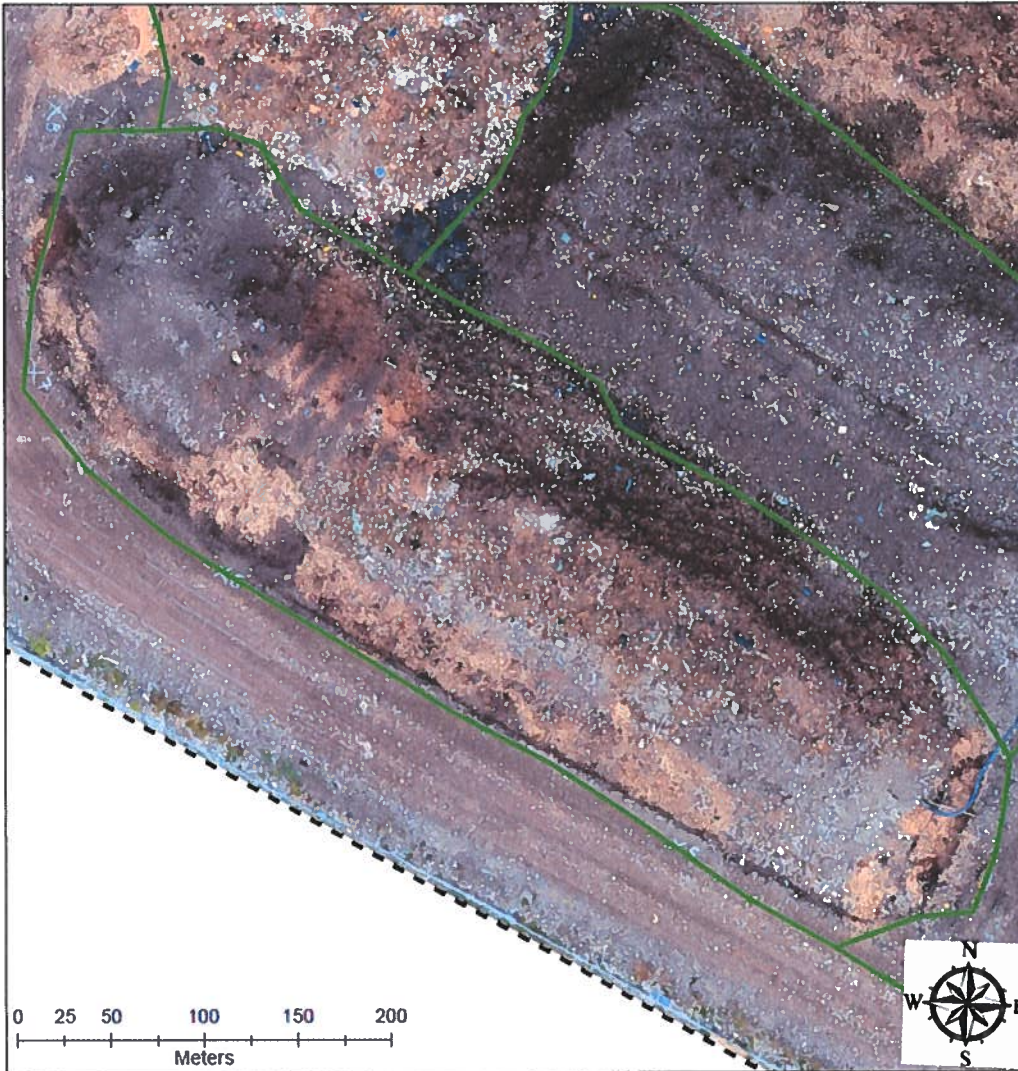
Appendix 2



Appendix 3







Cleanit Greenit Compost Facility
Volume and Height Calculations
 Edmonton, Alberta
 September 2022

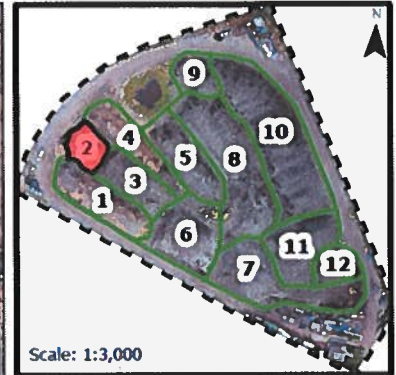
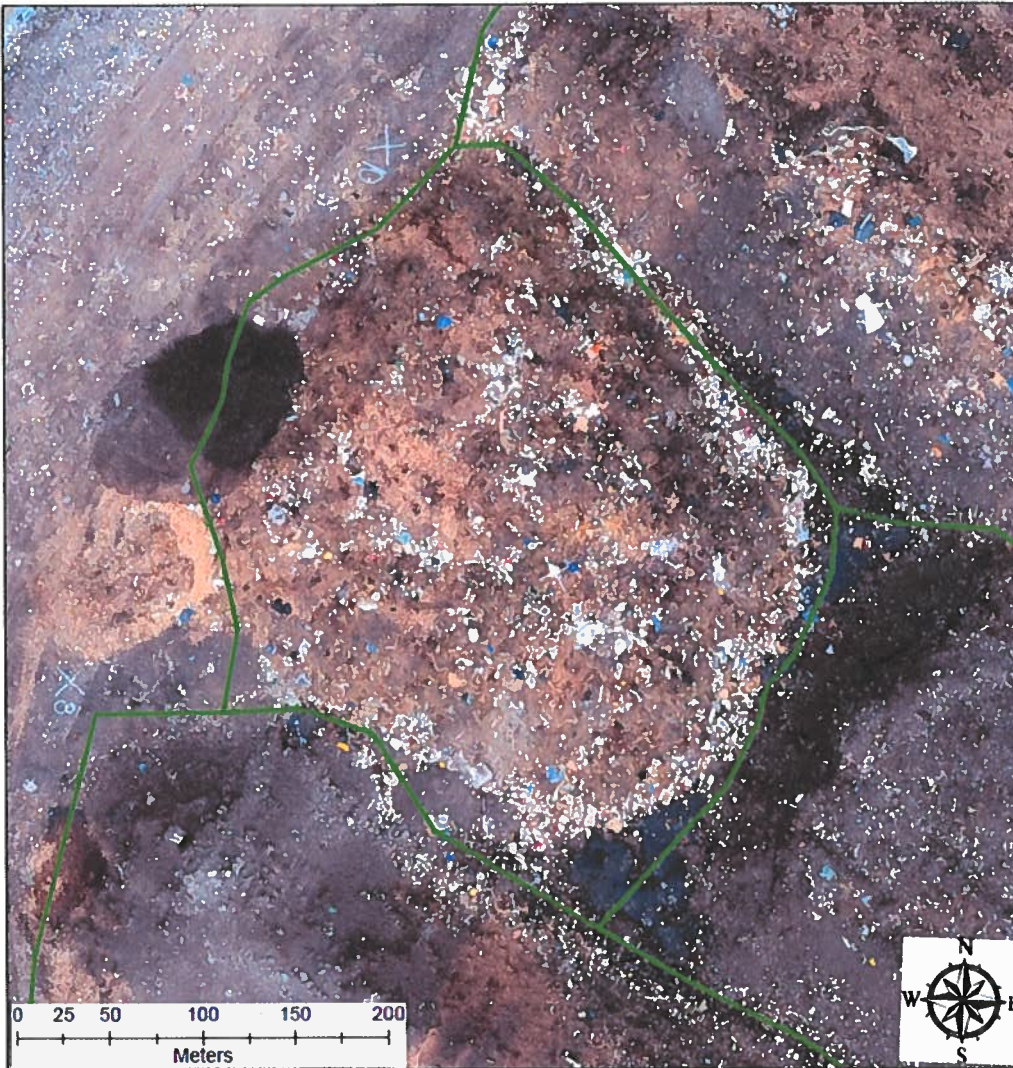
Pile 1

Above Surface Volume	Below Surface Volume
955.85	1066.11
Height	Material
2.69	Active Static Pile

** All volumes are in cubic meters. All heights are in meters and represent the highest point for each pile.*



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Cleanit Greenit Compost Facility
Volume and Height Calculations
 Edmonton, Alberta
 September 2022

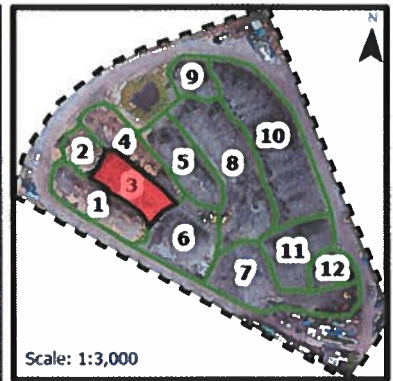
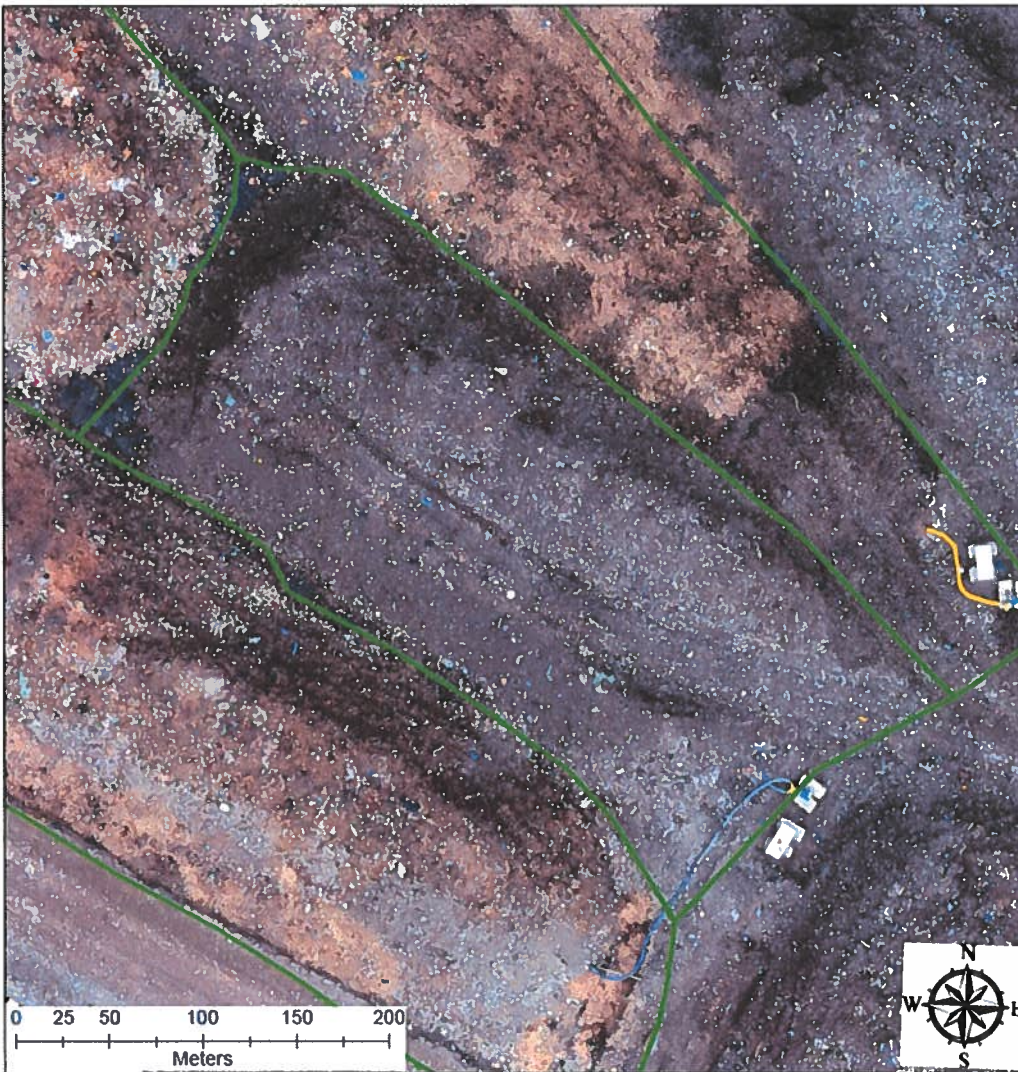
Pile 2

Above Surface Volume	Below Surface Volume
286.53	756.49
Height	Material
2.29	Active Static Pile

** All volumes are in cubic meters. All heights are in meters and represent the highest point for each pile*



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Cleanit Greenit Compost Facility
Volume and Height Calculations
 Edmonton, Alberta
 September 2022

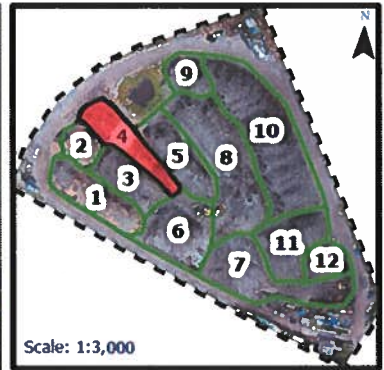
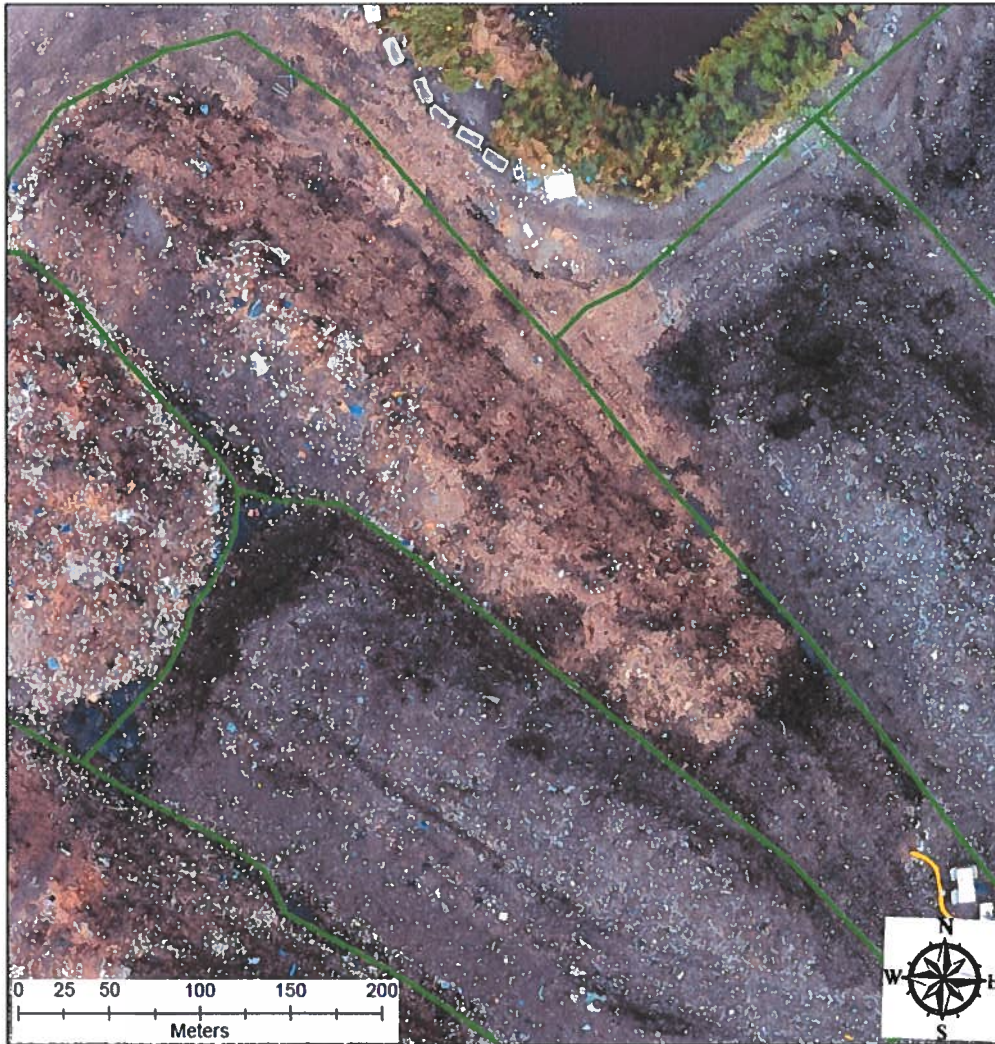
Pile 3

Above Surface Volume	Below Surface Volume
1384.36	1052.79
Height	Material
4	Active Static Pile

** All volumes are in cubic meters. All heights are in meters and represent the highest point for each pile*



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Cleanit Greenit Compost Facility
Volume and Height Calculations
Edmonton, Alberta
September 2022

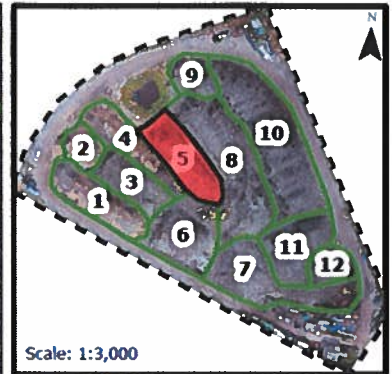
Pile 4

Above Surface Volume	Below Surface Volume
1024.82	1616.83
Height	Material
2.92	ASP Active Static Pile

** All volumes are in cubic meters. All heights are in meters and represent the highest point for each pile*



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 Edmonton, Alberta
 September 2022

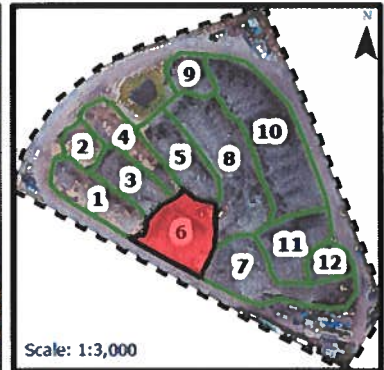
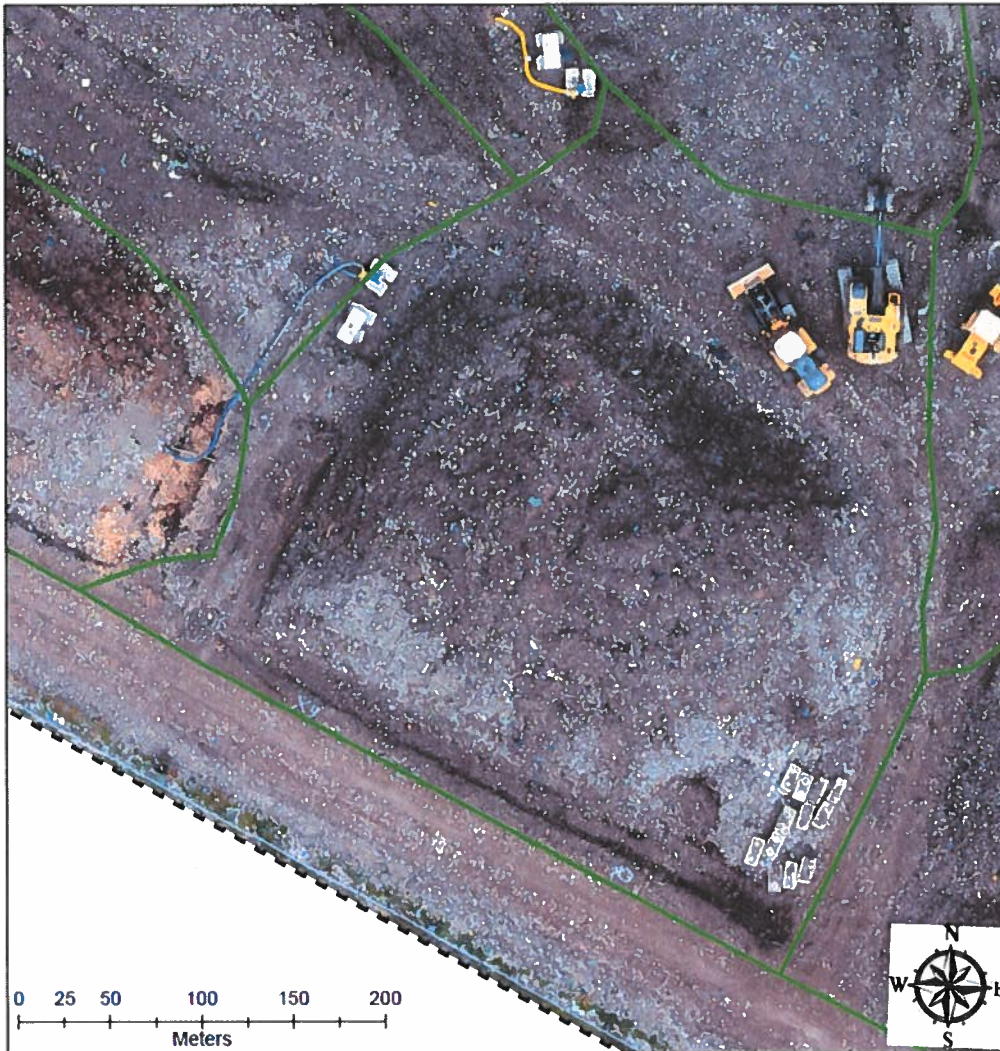
Pile 5

Above Surface Volume	Below Surface Volume
1672.46	1672.46
Height	Material
4.98	Maturing

** All volumes are in cubic meters. All heights are in meters and represent the highest point for each pile.*



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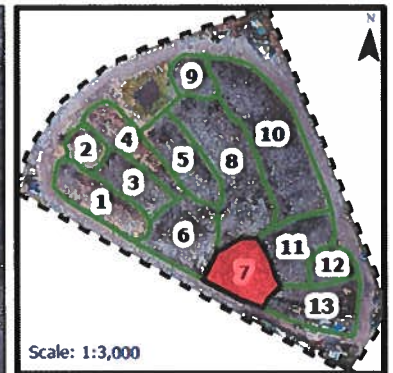
Pile 6

Above Surface Volume	Below Surface Volume
2817.17	2817.17
Height	Material Curing
7.65	

** All volumes are in cubic meters. All heights are in meters and represent the highest point for each pile*



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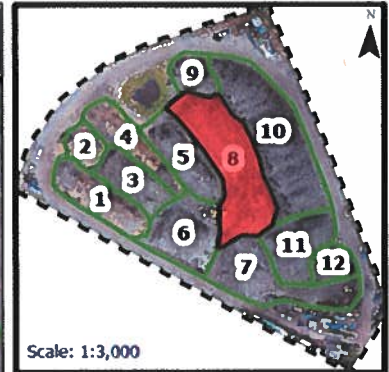
Pile 7

Above Surface Volume	Below Surface Volume
3400.41	3400.41
Height	Material
6.92	Plastic

** All volumes are in cubic meters. All heights are in meters and represent the highest point for each pile*



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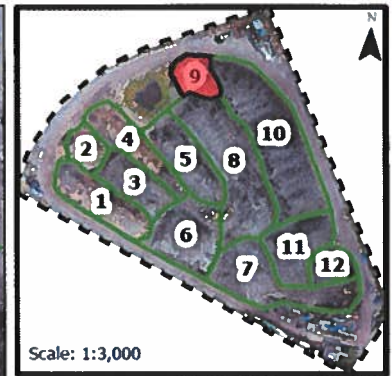
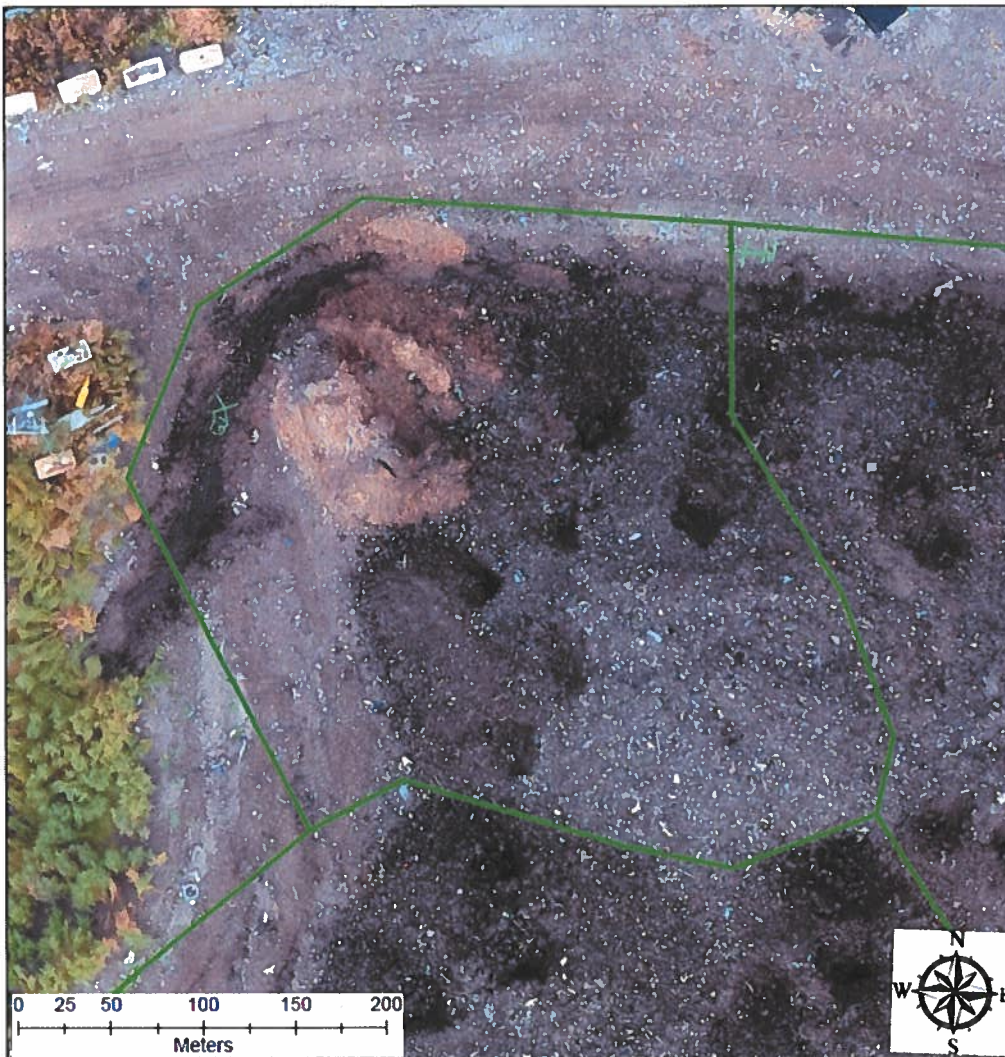
Pile 8

Above Surface Volume	Below Surface Volume
7254.71	7254.71
Height	Material
7.04	Maturing

** All volumes are in cubic meters. All heights are in meters and represent the highest point for each pile.*



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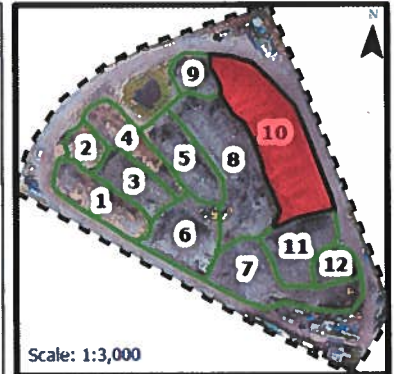
Pile 9

Above Surface Volume	Below Surface Volume
1027.39	1027.39
Height	Material
5.89	Maturing

** All volumes are in cubic meters. All heights are in meters and represent the highest point for each pile.*



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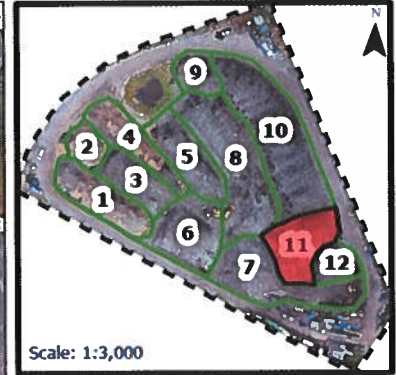
Pile 10

Above Surface Volume	Below Surface Volume
9978.4	9978.4
Height	Material
7.76	Maturing

** All volumes are in cubic meters. All heights are in meters and represent the highest point for each pile*



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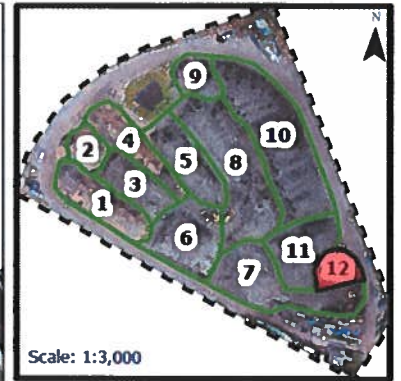
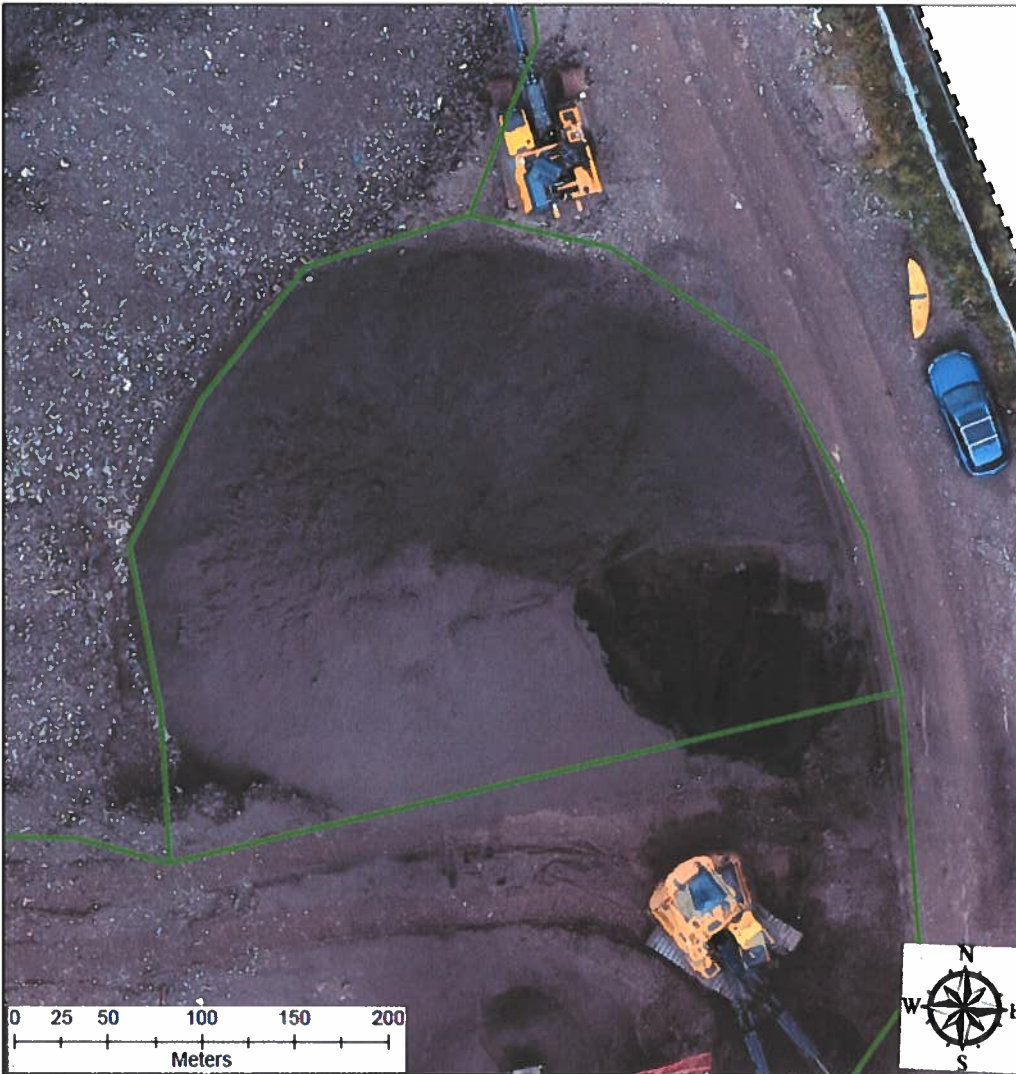
Pile 11

Above Surface Volume	Below Surface Volume
4117.54	4117.54
Height	Material
7.98	Screening

** All volumes are in cubic meters. All heights are in meters and represent the highest point for each pile*



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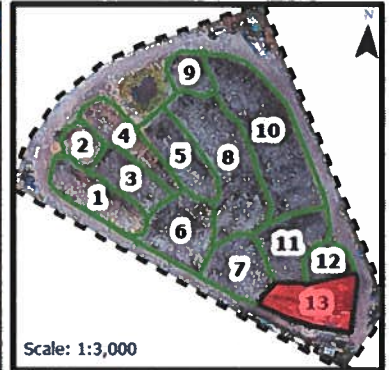
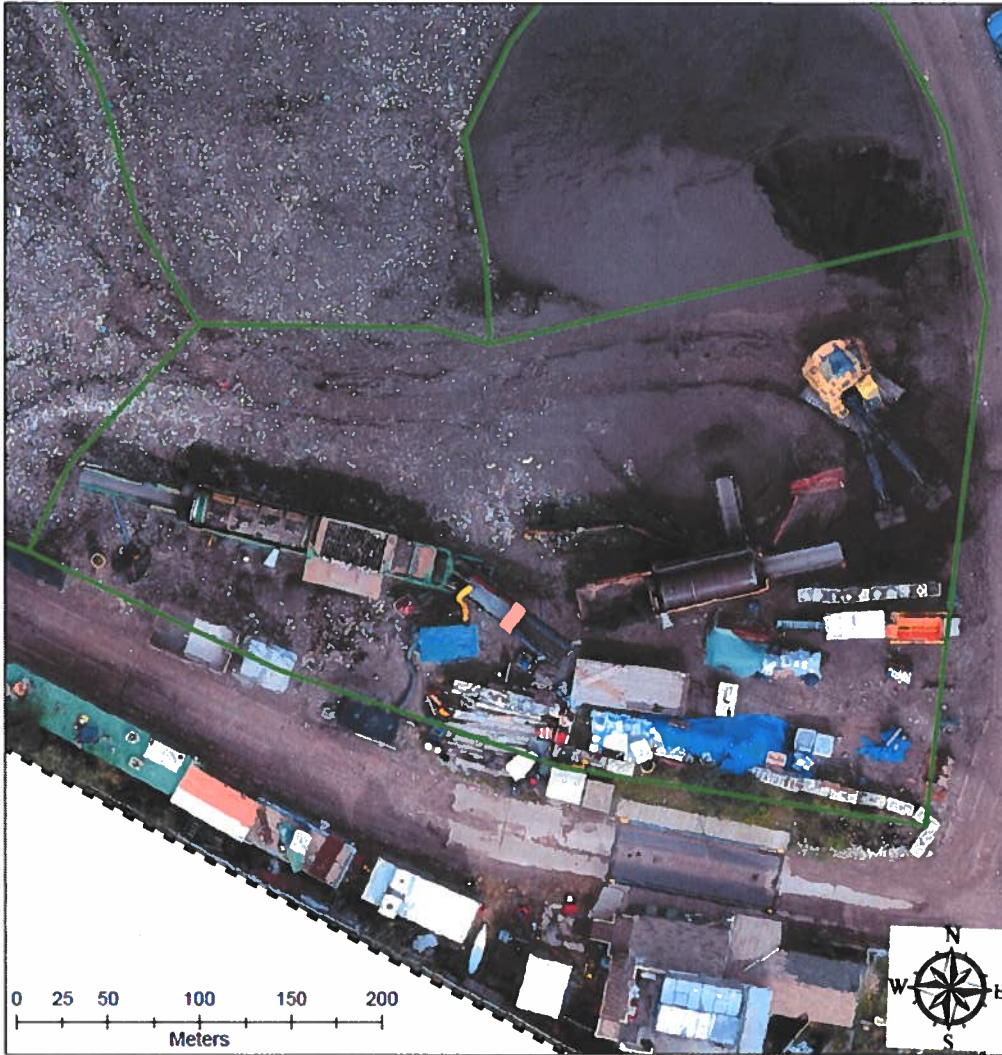
Pile 12

Above Surface Volume	Below Surface Volume
1113.88	1113.88
Height	Material Fines
5.76	Fines

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Working Area

**Above Surface
Volume**

916.14

Height

3.71

**Material
Working Area**

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(3) The Board may convene a panel of Board members to conduct a hearing of an appeal and appoint a person to chair the panel.

(4) Where a panel is convened, the panel has all the powers of the Board and is subject to all the same duties the Board is subject to, and a reference in this Act to the Board is to be read as a reference to the panel.

RSA 2000 cE-12 s90,2003 c42 s6

Notice of appeal

91(1) A notice of appeal may be submitted to the Board by the following persons in the following circumstances:

- (a) where the Director issues an approval, makes an amendment, addition or deletion pursuant to an application under section 70(1)(a) or makes an amendment, addition or deletion pursuant to section 70(3)(a), a notice of appeal may be submitted
 - (i) by the approval holder or by any person who previously submitted a statement of concern in accordance with section 73 and is directly affected by the Director's decision, in a case where notice of the application or proposed changes was provided under section 72(1) or (2), or
 - (ii) by the approval holder or by any person who is directly affected by the Director's decision, in a case where no notice of the application or proposed changes was provided by reason of the operation of section 72(3);
- (b) where the Director refuses
 - (i) to issue an approval, or
 - (ii) to make an amendment, addition or deletion in respect of an approval pursuant to an application under section 70(1)(a),
the applicant may submit a notice of appeal;
- (c) where the Director cancels or suspends an approval under section 70(3)(b) or (4), the approval holder may submit a notice of appeal;
- (d) where the Director cancels a certificate of qualification under section 83(1)(b), the holder of the certificate of qualification may submit a notice of appeal;

- (e) where the Director issues an enforcement order under section 210(1)(a), (b) or (c), the person to whom the order is directed may submit a notice of appeal;
- (f) where an inspector issues an environmental protection order regarding conservation and reclamation under section 140 or 141, the person to whom the order is directed may submit a notice of appeal;
- (g) where the Director issues an environmental protection order under section 129,
 - (i) the person to whom the order is directed, and
 - (ii) any person who is directly affected by the designation of the contaminated sitemay submit a notice of appeal;
- (h) where the Director issues an environmental protection order, except an environmental protection order directing the performance of emergency measures under section 114, 151 or 160 and an environmental protection order referred to in clause (g), the person to whom the order is directed may submit a notice of appeal;
- (i) where an inspector issues a reclamation certificate under section 138, or the Director or an inspector amends a reclamation certificate under section 139, the operator and any person who receives a copy of the certificate or amendment under section 145 may submit a notice of appeal;
- (j) where the Director or an inspector cancels a reclamation certificate, the operator may submit a notice of appeal;
- (k) where the Director or an inspector refuses to accept an application for a reclamation certificate or an inspector refuses to issue a reclamation certificate, the operator may submit a notice of appeal;
- (l) where the Director or an inspector issues, amends or cancels a remediation certificate under section 117, any person who receives notice of the issuance, amendment or cancellation as provided for in the regulations may submit a notice of appeal;
- (l.1) where the Director or an inspector refuses to accept an application for a remediation certificate or refuses to issue a remediation certificate under section 117, any person who

receives notice of the refusal as provided for in the regulations may submit a notice of appeal;

- (m) where the Director designates an area as a contaminated site under section 125, any person who is directly affected by the designation may submit a notice of appeal;
- (n) where the Director requires a person to pay an administrative penalty under section 237, the person to whom the notice is directed may submit a notice of appeal;
- (o) where the Director refuses a request for confidentiality under section 35(5)(b), the person to whom the notice is directed under section 35(6) may submit a notice of appeal;
- (p) persons authorized under Part 9 of the *Water Act*, in accordance with Part 9 of the *Water Act*.

(2) Notwithstanding subsection (1)(b), where the Director refuses to issue an approval pursuant to an order of the Minister under section 64, no notice of appeal may be submitted in respect of that refusal.

(3) Where an activity prescribed in the regulations for the purposes of this subsection is the subject of an approval and is carried out in stages, and where the Director issues an approval in respect of a stage, no notice of appeal may be submitted in respect of a stage that is already covered by the approval.

(4) A notice of appeal must be submitted to the Board

- (a) not later than 7 days after receipt of a copy of the enforcement order or the environmental protection order, in a case referred to in subsection (1)(e), (f) or (h),
- (b) not later than one year after receipt of a copy of the reclamation certificate, in a case referred to in subsection (1)(i) relating to the issuing of a reclamation certificate, and
- (c) not later than 30 days after receipt of notice of the decision appealed from or the last provision of notice of the decision appealed from, as the case may be, in any other case.

(5) The Board may, on application made before or after the expiry of the appeal period referred to in subsection (4), extend that period, where the Board is of the opinion that there are sufficient grounds for doing so.

(6) A notice of appeal submitted to the Board under this Act or in accordance with the *Water Act* must contain the information and be made in the manner provided for in the regulations.

(7) A notice of appeal initiates an appeal of the decision objected to.

RSA 2000 cE-12 s91, 2002 c4 s1, 2003 c37 s14;
2003 c42 s6, 2006 c15 s10

Additional information

92 Where the Board receives a notice of appeal, it may by written notice given to the person who submitted the notice of appeal require the submission of additional information specified in the written notice by the time specified in the written notice.

1992 cE-13.3 s85, 1998 c15 s9

Extension of time

93 The Board may, before or after the expiry of the prescribed time, advance or extend the time prescribed in this Part or the regulations for the doing of anything where the Board is of the opinion that there are sufficient grounds for doing so.

1996 c17 s21

Hearing of appeal

94(1) On receipt of a notice of appeal under this Act or under the *Water Act*, the Board shall conduct a hearing of the appeal.

(2) In conducting a hearing of an appeal under this Part, the Board is not bound to hold an oral hearing but may instead, and subject to the principles of natural justice, make its decision on the basis of written submissions.

(3) The Board may, with the consent of the parties to an appeal, make its decision under section 98 or its report to the Minister without conducting a hearing of the appeal.

1992 cE-13.3 s86, 1994 c15 s33, 1996 cW-3.5 s175,
1996 c17 s22, 1998 c15 s9

Powers and duties of Board

95(1) The Board has all the powers of a commissioner under the *Public Inquiries Act*.

(2) Prior to conducting a hearing of an appeal, the Board may, in accordance with the regulations, determine which matters included in notices of appeal properly before it will be included in the hearing of the appeal, and in making that determination the Board may consider the following:

- (a) whether the matter was the subject of a public hearing or review under Part 2 of the *Agricultural Operation Practices*