

File No. 10908

Government of Alberta 

Environment

ENVIRONMENTAL PROTECTION AND ENHANCEMENT ACT

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

Amendment No. 7

to

ENFORCEMENT ORDER NO. EO-2011/03-NR

Cleanit Greenit Composting System Inc.
1500, 10180-101 Street NW
Edmonton, Alberta
T5J 4K1

-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 Amendment #1 to the EO was issued to the Parties on December 22, 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 on June 29, 2012 the Director met with the Parties and respective consultants to discuss the Materials Characterization Report and the Site Rehabilitation Plan;

WHEREAS based on the submissions made by the Parties at the 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 opinion that a further amendment to the EO was necessary, and Amendment #6 to the EO was issued January 8, 2013;

WHEREAS on May 3, 2013, the Director received from the Parties a written request that the Director delete Clause 2 of the original EO, which clause stated:

"Registration No. 218439-00-00 shall expire on **September 30, 2014**";

WHEREAS the May 3, 2013 request stated that the Parties' justifications for the request to delete Clause 2 were that the Parties:

- "are not seeking an approval [for the compost facility] and will remain a registered facility"; and
- the "size of facility is better suited to our neighbourhood"; and
- "[t]his clause currently presents an obstacle to obtaining investment to the facility for improvements";

WHEREAS the Director is of the opinion that the changes in circumstances in the past 17 months and the submission of the Parties justify the deletion of Clause 2 of the EO;

WHEREAS Jeff Toering, District Compliance Manager, Northern Region, has been appointed a Director for the purposes of issuing and amending enforcement orders under the Act (the "Director");

THEREFORE, I, Jeff Toering, District Compliance Manager, Northern Region, pursuant to section 212 of the *Environmental Protection and Enhancement Act*, DO HEREBY ORDER:

1. Clause 2 of EO-2011/03-NR is deleted.

DATED at the City of Edmonton in the Province of Alberta, this 24 day of May, 2013.

Original signed by:

Jeff Toering
District Compliance Manager
Northern Region

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.