

File No. 10908



Environment and Sustainable Resource Development

ENVIRONMENTAL PROTECTION AND ENHANCEMENT ACT

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

Amendment No. 8

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 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 clause 18 of Amendment #6 requires the Parties to submit to the Director a written detailed Soil Impact Delineation Report by June 28, 2013;

WHEREAS the Soil Impact Delineation Report was never received by the Director;

WHEREAS on August 15, 2013, Alberta Environment and Sustainable Resource Development (ESRD) received from the Parties a written request to extend the due date for the Soil Impact Delineation Report from June 28, 2013 to July 31, 2014;

WHEREAS the Director is of the opinion that since there is no evidence of an immediate or emergent threat to the environment related to the soils contained within the compost facility, a delay in the submission of the Soil Impact Delineation Report is allowable;

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. In Clause 18 of Amendment #6 to EO-2011/03-NR, the date of "June 28, 2013" is deleted and "July 31, 2014" is inserted in its place.

DATED at the City of Edmonton in the Province of Alberta, this 12th day of September, 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.

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.