

ENVIRONMENTAL PROTECTION AND ENHANCEMENT ACT

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

ENFORCEMENT ORDER NO. EO-EPEA-37940

Amendment no. 1

1158728 Alberta Ltd.
Operating as "GFM Environmental Services"
2800-10060 Jasper Avenue
Edmonton, AB T5J 3V9

and

GFM Precious Metals Ltd.
Operating as "GFM Environmental"
2800-10060 Jasper Avenue
Edmonton, AB T5J 3V9

(The Parties will be collectively referred to as "GFM")

WHEREAS the Director issued Enforcement Order No. EO-EPEA-37940 (the "EO") on March 25th, 2022, ordering GFM to comply with storage and disposal requirements as listed in *EPEA* and the *Waste Control Regulation* (A.R. 192/96) for hazardous wastes and hazardous recyclables, including that it shall conduct an inventory of all hazardous wastes, hazardous recyclables, biomedical waste, non-hazardous waste and any personal health records stored at the shop, in sea cans at Make Space Storage, and submit a Compliance Plan to the Director for sorting and characterizing the stored wastes and records, and a disposal plan for each of the waste streams to appropriate approved waste management facilities, with completion no later than May 1, 2022 (the "Completion Date").

WHEREAS on March 30, 2022, GFM submitted their Compliance Plan pursuant to the EO to sort, characterize, separate and process or dispose of the hazardous waste, hazardous recyclables, biomedical waste, non-hazardous wastes and any personal health records (the "Waste") to the appropriate waste management facilities, and AHS in the case of any personal health records in possession of the Parties.

WHEREAS in the Compliance Plan, GFM proposed commencing implementation of the activities in the Plan on April 5, 2022.

WHEREAS on April 1, 2022, the Director advised GFM in writing that the Compliance Plan was approved, though requested additional information related to secondary containment and disposal of liquid wastes.

WHEREAS after discussions with GFM on the progress to dispose of the Waste, the Director granted GFM a 90-day extension to the Completion Date in order for GFM to fulfill the requirements set out in the Order;

WHEREAS on August 17, 2022, the Director sent GFM an email checking on the progress on fulfilling the requirements of the Order;

WHEREAS on August 17, 2022, GFM replied to the Director's email indicating it required an additional 90-day extension to the Completion date;

WHEREAS on August 18, 2022, The Director replied with an email granting GFM a second requested 90-day extension to the Completion date setting the new Completion Date to November 15, 2022;

WHEREAS on November 4, 2022, GFM emailed a request to the Director outlining rationale for why the disposal of the Waste was not yet complete and requested a third 90-day extension to the Completion Date;

WHEREAS on November 11, 2022, the Director responded to GFM granting the requested 90-day extension to the Completion Date setting the new deadline for the extension to March 9, 2023;

WHEREAS on January 11, 2023, GFM provided a written update to the Director on progress with the Compliance Plan, and reasons for the delay in disposing of the wastes stored in the sea cans at the Make Space Storage site.

WHEREAS on March 9, 2023, an EPA Environmental Protection Officer conducted an inspection of the Make Space Storage site, and confirmed that GFM still had 14 sea cans filled with biomedical waste. Then inspection also confirmed that GFM had only emptied 3 sea cans by this date.

WHEREAS on March 21, 2023, GFM provided another update to the Director on progress with compliance with the EO regarding the "clinical waste". GFM advised the Director that they were making all reasonable efforts to removing and processing the stored wastes in their autoclave (high pressure and heat treatment process). GFM requested a further extension of time to complete processing the wastes, but were uncertain as to the timeline required due to processing new wastes being collected.

WHEREAS on March 31, the Director held a meeting with GFM. GFM explained the logistical constraints preventing it from disposing of the biomedical waste in a more expeditious manner;

WHEREAS Section 212 of the *Act* states that a Director may amend a term or condition of an enforcement order;

WHEREAS the Director is of the opinion that an amendment to the EO is required to provide a further extension of time for GFM to complete the tasks required of the EO;

THEREFORE, I, Maxwell Harrison, the Director, pursuant to section 212 of the *Act*, DO HEREBY AMEND Enforcement Order No. EO-EPEA-37940 as follows:

1. In Clause 6.e., delete **May 1, 2022** and replace with **December 1, 2023**.
2. Add new Clause 8, as follows:

8. GFM shall provide a written status report to the Director on the first day of each month, commencing on May 1, 2023, indicating its progress toward completion of the Compliance Plan by the deadline specified in Clause 6.e.

DATED at the City of Edmonton in the Province of Alberta, this 24th day of April, 2023.

Maxwell Harrison
Compliance Manager
Capital District - North 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 Parties shall obtain all necessary approvals in complying with this order.

Take notice that this enforcement 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. Failure to comply with this order may result in further enforcement proceedings.