



WHEATLAND COUNTY
Where There's Room to Grow



NOTICE OF DECISION

ISSUED PURSUANT TO Wheatland County *Nuisance and Unsightly Property Bylaw* No. 2016-51 (the "**Bylaw**"), Sections 545 and 546(0.1) of the *Municipal Government Act*, R.S.A. 2000 Chapter M-26, as amended (the "**Act**"), and the Remedial Order of the Chief Administrative Officer issued on July 3, 2019, as amended by the Notice of Variation issued on November 23, 2019 (the "**Amended Remedial Order**")

DELIVERED VIA EMAIL

April 2, 2020

GFL Environmental Inc. ("**GFL**")
and Gail Ann Cleeve
c/o Miller Thomson LLP
100 New Park Pl #700
Vaughan, ON L4K 0H9
Attn: John Tidball

Dear Sirs and Madam:

**RE: Notice of Variation of Remedial Order issued on July 3, 2019
Ptn SW1/4-7-25-24-W4th (the "Property")**

WHEREAS on July 3 and 5, 2019, Remedial Orders were issued by the County at the direction of the Chief Administrative Officer in connection with GFL's operations on the Property;

AND WHEREAS on July 3 and 5, 2019, Stop Orders were issued by the County at the direction of the General Manager of Community and Development Services in connection with GFL's operations on the Property;

AND WHEREAS following a review of the Remedial Orders by Wheatland County Council, the July 5, 2019 Remedial Order was vacated;

AND WHEREAS following an appeal of the Stop Orders to the Subdivision Development Appeal Board, the July 5, 2019 Stop Order was vacated;

AND WHEREAS the Subdivision Development and Appeal Board issued Order Nos. SDAB SO2019-01 and SDAB SO2019-02 (the "**SDAB Orders**");

AND WHEREAS the Subdivision Development and Appeal Board varied the July 3, 2019 Stop Order by:
(1) extending time to remove or process the Legacy Pile (as defined in the Order) and any other



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unprocessed material stored at the Property, until June 30, 2020 for compliance from a period of 90 days to a deadline of June 30, 2020; and (2) allowing the acceptance of feedstock by GFL, but only to the extent that is necessary to process the remainder of the Legacy Pile;

AND WHEREAS on November 22, 2019, the County varied the July 3 Remedial Order (the “**Amended Remedial Order**”) by: (1) extending time to remove or process the Legacy Pile (as defined in the Order) and any other unprocessed material stored at the Property, until June 30, 2020 for compliance from a period of 90 days to a deadline of June 30, 2020; (2) allowing the acceptance of feedstock by GFL, but only to the extent that is necessary to process the remainder of the Legacy Pile; and (3) requiring GFL to obtain the County’s approval in respect of any plan for the removal of the Legacy Pile;

AND WHEREAS GFL has submitted a plan for the removal of the Legacy Pile (the “**Plan**”) to the County for approval in accordance with the Amended Remedial Order;

AND WHEREAS the undersigned is a designated officer pursuant to the Act and within the meaning of the Amended Remedial Order;

IT IS HEREBY DECIDED THAT:

1. The Plan attached and recorded as Schedule 1 to this Decision is conditionally approved, subject to any variance, condition, cancellation or amendment that the County may in future make.
2. In carrying out the Plan, GFL will comply with all requirements that Alberta Environment and Parks has or will impose or request relating in any way to the handling, treatment, removal, or transportation of hazardous materials.
3. In carrying out the Plan, GFL will comply with all requirements that Alberta Environment and Parks has or will impose or request relating in any way to any sampling of soil or water.
4. This approval is granted without prejudice to any right, remedy, or enforcement action that the County may give effect to the July 3, 2019 Stop Order or the Amended Remedial Order.

DATE: April 2, 2020

Chief Administrative Officer



WHEATLAND COUNTY

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SCHEDULE 1: Removal Action Plan submitted by GFL in accordance with the Amended Remedial Order.

[Remainder of this page left intentionally blank. Schedule pages to follow.]

STRATHMORE –OPERATIONAL PLAN – LEGACY PILE REMOVAL

GOAL

The goal of this project is to eliminate the existing pile of aged organic materials known as the “legacy pile” from the GFL Strathmore Compost Facility.

CRITICAL SUCCESS FACTORS

1. The removal of the legacy pile is to be completed by June 30, 2020.
2. The process and techniques used to remove/process of the pile must take place in a manner to mitigate as much as reasonably acceptable any fugitive odours from the pile.
3. The process and techniques used must be conducted during normal working hours permitted for the site.
4. Wheatland County will distribute information provided by GFL regarding this plan to County residents as a “neutral conduit”.
5. Ongoing monitoring and progress reporting of the material being removed or processed will be maintained in accordance with this plan.
6. Upon completion of the project there will be a verification report provided to the major stakeholders – AEP and Wheatland County.
7. All personnel and equipment resources used to facilitate this project will be the sole responsibility and control of GFL.
8. GFL recognizes the need for a mechanism for the County to be satisfied that the legacy pile has been removed following the completion of the removal plan. To this end, a visual inspection by County officials for the purpose of verifying removal once GFL confirms the removal plan has been completed will be arranged.

PROJECT MILESTONES

1. Project Plan Approved by Wheatland County and AEP – TBD
2. Mobilization of GFL Resources and equipment – March 23rd
3. Project Execution - removal commences – Week of March 23rd
4. Removal of legacy pile complete – June 30, 2020

STRATHMORE –OPERATIONAL PLAN – LEGACY PILE REMOVAL

RISK MANAGEMENT PLAN

RISK FACTOR	MITIGATION STRATEGY
Unacceptable odour emitting from pile during removal of material	<ul style="list-style-type: none">• Odour abatement product - ESOE – Odour Eliminator will be sprayed on the pile and material as removed from the pile and also as it is loaded into the trucks. The application rate, in accordance with the product manufacturer's specifications, is 51 litres/hour.• Finished compost will be added to the legacy pile during loading.• Lime will be added to the legacy pile during loading.• The legacy material will be removed in layers from the top of the pile• At the end of the day, all open sections of the legacy pile that have been exposed will be covered with a layer of finished compost.• Meteorological conditions will be monitored and operations will be adjusted accordingly.
Odour abatement techniques during removal of material do not mitigate odour to a level that is acceptable	<ul style="list-style-type: none">• Increased layers of finished compost will be added to the material as it is removed and loaded.• Increased use of odour abatement spray.• If odours continue to be unacceptable for 2 days following the above actions, the removal process will be stopped.• The remaining material in the legacy pile will be processed in the aeration pads.• The Odour Eliminator product is pre-mixed and will be applied at an application rate of an average of 1 litre of spray per 15-18 tonnes –of material, 51 litres/hour applied by the water truck equipped with application nozzles.

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RISK FACTOR	MITIGATION STRATEGY
Equipment is broken down preventing removal of material for acceptable period.	<ul style="list-style-type: none">• GFL will arrange to obtain expedited maintenance repair contracts and if repairs will not be completed within 5 working days, a replacement piece of equipment will be obtained.
Removal process is limited by transportation	<ul style="list-style-type: none">• GFL is planning to initially have 5-7 hauling trucks per day take the material loads off the site.• If the removal process is functioning well and odour levels are acceptable, additional trucks will be provided by GFL to increase the removal rate of material off the site.
Removal/process cannot be completed by June 30, 2020.	<ul style="list-style-type: none">• GFL will determine the required timeframe to remove or process the remaining material and submit a request to adjust for a new completion date of the project which will be forwarded to Wheatland County for approval.
Material sampled has a pH of < 2.	<ul style="list-style-type: none">• For that material that has a pH of <2, the material will be sent to an approved processing facility that is permitted to accept this type of material.

STRATHMORE –OPERATIONAL PLAN – LEGACY PILE REMOVAL

COMMUNICATION – MONITORING PLAN

GFL will prepare and submit reports as described in the table below. The reports submitted to Wheatland County CAO will be distributed by the County as a “neutral conduit”. For days when no on-site removal activity is undertaken, no daily reports will be required or provided.

Inquiries from local residents regarding the plan may be submitted to the email strathmore@gflenv.com and gflremoval@wheatlandcounty.ca Wheatland County would like to ensure that the communication is being responded to from residents.

.ITEM	WHAT	DISTRIBUTION	FREQUENCY MEANS
Volume of legacy materials	Report of actual volumes of legacy material removed/processed	<ul style="list-style-type: none">• Wheatland County CAO• AEP	Daily Email
Volume of lime	Report of actual volumes of lime removed from the site.	<ul style="list-style-type: none">• Wheatland County CAO• AEP	Weekly Email
Volume of total material removed	Report of total volume of mixed legacy/lime/compost removed from the site.	<ul style="list-style-type: none">• Wheatland County CAO• AEP	Weekly Email
pH of material	Composite pH samples will be taken and recorded for each 1000 mt of material.	<ul style="list-style-type: none">• Wheatland County CAO• AEP	Weekly Email
Site Operations	Planned activities for the site will be recorded including meteorological conditions.	<ul style="list-style-type: none">• Wheatland County CAO• AEP	Daily Email
Communications with Residents	Plan for removal and updates of progress	<ul style="list-style-type: none">• Wheatland County to distribute information provided by GFL to affected Residents	Ongoing TBD
Air Monitoring	GFL employees working on the removal process will have continuous H ₂ S air monitoring device on themselves. Fence line monitoring will take place with one monitor placed on each side of the property.	<ul style="list-style-type: none">• AEP• Wheatland County CAO	Weekly Email

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.ITEM	WHAT	DISTRIBUTION	FREQUENCY MEANS
Odour Sampling	Odour evaluations will take place by GFL using the sniff test system as per the Odour Management Plan.	<ul style="list-style-type: none">• Wheatland County CAO	Daily Email

PROJECT REMOVAL METHODOLOGY – STEPS

The following is an overview of the methodology that is planned to be used for the removal of the legacy pile material. The operational steps will be reviewed on an ongoing basis in terms of efficiency and effectiveness and tasks will be adjusted as required to ensure the critical success factors of the project are being achieved. Major changes to the operations will be communicated with the AEP and Wheatland County – CAO prior to execution of the changes providing details as to the reasons for the change of methodology.

PLANNING FACTORS

The following are the major planning factors that were used to develop the methodology and tasks in the execution stage of the project.

- The movement - loading and unloading of materials is planned to be kept to a minimum.
- Operations will be conducted in a designated area by the legacy pile.
- Trucks will have easy access to and from the designated area.
- Only the assigned GFL operational team will have access to the designated area.
- Work procedures will be adjusted pending weather conditions.

METHODOLOGY

1. The GFL Project Manager (PM) will be responsible for the management and execution of the project.
2. The GFL Site Manager will be the Project Supervisor (PS) for the removal project responsible for the management of people and resources assigned to the project.
3. The PS will conduct safety and planned activities for the day, meeting with the on-site project team on a daily basis at the start of the workday. All workers will be wearing H²S monitors.
4. The trucks will be loaded one at a time and scaled in and out of the site.
5. The trucks will take the route as shown on Attachment A. The route is designed to stay as much as possible away from resident homes in the surrounding area of the site and Strathmore and completely avoid the City of Strathmore.

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6. During the removal of the material and loading into the trucks the ESOE Odour Eliminator will be sprayed on all materials.
7. The legacy pile material will be removed from the existing pile on a layer basis at one location, using a loader and/or excavator.
8. **As per Alberta Standards for Composting Facilities Section 5.5(c) a composite sample will be taken for every 100 tonnes of material. As per Section 4.22.2 of the Alberta Compost Facility Operator Study Guide the composite sample will be made from a minimum of 10 subsamples.** The following is the steps of the sampling protocol that will be used. The process will be used for every 100 Mt of material removed from the pile until the legacy pile has been removed from the site.
 - a. Remove 100 mt of material from the legacy pile, and place in designated area.
 - b. Take 10 discrete samples from the 100 mt pile and consolidate and prepare one combined sample.
 - c. Test for pH on each 100 tonne pile prior to removing from site.
 - d. If a pile results are < 2 pH then that 100 tonne pile must be disposed of at a class 1 landfill.
9. **As per the Alberta User Guide for Waste Managers the following method will be used to determine the pH of the composite sample that has been gathered for the 100 Mt of material.**
 - a. A cup (236 ml) of the composite material will be added to 1 cup (236 ml) of distilled water in a sealed container shaken and let to settle.
 - b. The container is left undisturbed for 30 minutes to allow any sediment to settle to the bottom.
 - c. The tip of a strip of the pH test paper touches the water and draws up at least ½” (1.27 cm) of water.
 - d. The test strip colour that appears on the tip of the paper is matched with the colour guide to reveal the pH.
 - e. The results of the pH of the composite sample will be recorded in a table marking the location of the material that has sampled, date/time of testing and pH level.
 - f. All sampling tools and jars will be cleaned with distilled water following each sample taken.
10. For the material that the pH of the composite samples are between 2-12 pH the material will be loaded, mixed with finished compost and lime and transported of site to a landfill.

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11. If the pH of the composite sample of the material taken in accordance with item 9 above is less than 2, the material will be sent to an approved processing facility that is permitted to accept this type of material.
12. The disturbed area of the legacy pile will be sprayed directly with Odour Eliminator and a layer of 30 cm of compost will be applied over the area at the end of each workday.
13. A table/report shown below will be used to track each load of compost removed from the legacy pile and includes the net weight and routing of the material.

DATE/TIME	TRUCK ID#	WEIGHT IN	WEIGHT OUT	LOAD SIZE (MT)	MATERIAL (pH 2-12) SENT OFFSITE TO LANDFILL	MATERIAL (pH <2) SENT TO PROCESSING FACILITY

PROJECT ROLES

PROJECT POSITION	NAME	EMAIL
Project Manager	Brian King	BKing@gflenv.com
Project Supervisor	Brad Walls	Bwalls@gflenv.com