

## Provincial Officer's Order

Environmental Protection Act, R.S.O. 1990, c. E.19 (EPA)  
Ontario Water Resources Act, R.S.O. 1990, c. O.40 (OWRA)  
Pesticides Act, R.S.O. 1990, c. P.11 (PA)  
Safe Drinking Water Act, 2002, S.O. 2002, c.32 (SDWA)  
Nutrient Management Act, 2002, S.O. 2002, c.4 (NMA)

**Order Number**  
1742-ASXLMQ

**Incident Report No.**  
0353-ARXJHL

**To:** 1213427 Ontario Corporation  
Operating As Picton Terminals  
588 Scotland Rd  
Odessa, Ontario, K0H 2H0  
Canada

**Site:** 62 White Chapel Road  
Prince Edward

Pursuant to my authority under OWRA Section 16.1, EPA Section 157.1, OWRA Section 16 and EPA Section 157, I order you to do the following:

### Work Ordered

|                   |                        |                            |
|-------------------|------------------------|----------------------------|
| <b>Item No. 1</b> | <b>Compliance Date</b> | 2017/11/24<br>(YYYY/MM/DD) |
|-------------------|------------------------|----------------------------|

By no later than November 24, 2017, ensure all salt piles currently stored on Site are fully covered with tarps, excluding the working face area.

|                   |                        |                            |
|-------------------|------------------------|----------------------------|
| <b>Item No. 2</b> | <b>Compliance Date</b> | 2017/11/27<br>(YYYY/MM/DD) |
|-------------------|------------------------|----------------------------|

By no later than November 27, 2017, retain the services of a QP to prepare an Interim Action Plan described in Section 5.0 of the annexed Provincial Officer's Report.

|                   |                        |                            |
|-------------------|------------------------|----------------------------|
| <b>Item No. 3</b> | <b>Compliance Date</b> | 2017/11/27<br>(YYYY/MM/DD) |
|-------------------|------------------------|----------------------------|

By no later than November 27, 2017, submit to the undersigned Provincial Officer written confirmation from the QP that it has, (1) received a copy of the Order; (2) been retained to carry out the work specified in Order Item No. 1 that the QP is to carry out; and (3) the experience and qualifications to carry out the work.

|                   |                        |            |
|-------------------|------------------------|------------|
| <b>Item No. 4</b> | <b>Compliance Date</b> | 2017/12/08 |
|-------------------|------------------------|------------|

(YYYY/MM/DD)

By no later than December 8, 2017, have the retained Qualified Person to prepare the Interim Action Plan.

**Item No. 5**

**Compliance Date**

2017/12/08

(YYYY/MM/DD)

By December 8, 2017, submit to the undersigned Provincial Officer a copy of the Interim Action Plan for, review and approval.

**Item No. 6**

**Compliance Date**

2017/12/08

(YYYY/MM/DD)

Upon written acceptance of the Interim Action Plan, by the issuing Provincial Officer, or other designated Ministry Provincial Officer, implement the accepted plan.

**Item No. 7**

**Compliance Date**

2017/11/21

(YYYY/MM/DD)

Upon service of this Order, you and any other person with an interest in the Site, are required, before dealing with the Site in any way, to give a copy of this Order, including any amendments that may be made thereto, to every person who will acquire interest in the property as a result of the dealing.

- A. While this Order is in effect, a copy or copies of this order shall be posted in a conspicuous place.
- B. While this Order is in effect, report in writing, to the District or Area office, any significant changes of operation, emission, ownership, tenancy or other legal status of the facility or operation.
- C. Unless otherwise specified, all requirements of this Order are effective upon service of this Order.

This Order is being issued for the reasons set out in the annexed Provincial Officers Report which forms part of this Order.

Issued at Prince Edward this 21st day of November, 2017.



Shannon Kelly  
Badge No:  
Belleville Area Office  
Tel: (613) 962-9251

## REQUEST FOR REVIEW

You may request that this Order be reviewed by a Director.

Your request must be made (i) in writing (or if made orally, with written confirmation) and (ii) served on the Director at the address below within seven (7) calendar days after being served with a copy of this Order.

In the written request or written confirmation of an oral request, you must include:

- (a) the portions of the Order in respect of which the review is requested;
- (b) any submissions that you wish the Director to consider; and
- (c) an address for service to be used by the Director.

In response to your request for review, the Director may confirm, alter or revoke this Order and will serve you with a copy of the Director's decision or Order.

A request for review does not automatically stay this Order. If you wish to have the Director stay the Order you must also include this in your request and the Order is not stayed unless the Director makes an order granting a stay.

### DEEMED CONFIRMATION OF THIS ORDER

If you do not receive oral or written notice of the Director's decision on your request for review within (7) calendar days of receipt of your request, and the Director has not stayed the Order, this Order shall be deemed to be confirmed by order of the Director and deemed to be served upon you.

In the case of a deemed confirmation, you may require a hearing before the Environmental Review Tribunal (Tribunal), if, within fifteen (15) calendar days from the deemed date of service of the Director's order, you serve written notice of your appeal on the Tribunal and the Director. Your notice must state:

- (a) the portion(s) of the Order in respect of which the hearing is required; and
- (b) the grounds on which you intend to rely at the hearing.

Except with leave of the Tribunal, you are not entitled to appeal a portion of the Order or to rely on a ground that is not stated in the notice requiring the hearing. Unless stayed by the Tribunal, the Order remains in effect from the date of service.

Written notice requiring a hearing can be served upon:

The Secretary  
Environmental Review Tribunal  
655 Bay Street, 15th Floor  
Toronto ON  
M5G 1E5  
Fax: (416) 326-5370  
Email: ERTTribunalsecretary@ontario.ca

and

Director  
Ministry of the Environment and Climate Change  
Kingston District Office  
1259 Gardiners Rd, Unit 3  
PO Box 22032  
Kingston, ON  
K7M 8S5  
Fax: (613) 548-6920  
Tel: (613) 549-4000

Further information on the Tribunal and requirements for an appeal can be obtained directly from the Tribunal by:

Tel: (416) 212-6349 or 1(866) 448-2248  
TTY 1-800-855-1155 via Bell Relay

Fax: (416) 326-5370 or 1(844) 213-3474  
Web: [www.ert.gov.on.ca](http://www.ert.gov.on.ca)

### FOR YOUR INFORMATION

The following is for your information:

Service of the documentation referred to above can be made personally, by mail, by fax, by commercial courier or by email in accordance with the legislation under which the Order is made and any corresponding Service Regulation. Further information

can be obtained from e- Laws at [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca). Please note that choosing service by mail does not extend any of the above mentioned timelines.

Unless stayed, this Order is effective from the date of service. Non-compliance with the requirements of this Order constitutes an offence.

The requirements of this Order are minimum requirements only and do not relieve you from complying with the following:

- (a) any applicable federal legislation,
- (b) any applicable provincial legislation or requirements that are not addressed in this Order, and
- (c) any applicable municipal law.

The requirements of this Order are severable. If any requirement of this Order or the application of any requirement to any circumstances is held invalid, the application of such requirement to other circumstances and the remainder of the Order are not affected.

Further orders may be issued in accordance with the legislation as circumstances require.

The procedures and other information provided above are intended as a guide. The legislation and/or regulations should be consulted for additional details and accurate reference.