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Ministry of the Environment, Conservation and Parks
Ministère de l'Environnement, de la Protection de la nature et des Parcs

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 7112-BDVN77

Issue Date: July 19, 2019

Hilary Clodagh Margaret Galey
303 Golf Court Drive
Sault Ste. Marie, Michigan, United States of America
49783
and
1927510 Ontario Inc.
165 Queen Street East,
Sault Ste. Marie, Ontario
P6A 1Y6

Site Location: Phillip's Bay Resort Cabin #3,
21 Phillips Bay Road,
Part #11 of Lot 1&2, Concession 6,
Municipality of Huron Shores, District of Algoma, Ontario

You have applied under section 20.2 of Part II.1 of the Environmental Protection Act, R.S.O. 1990, c. E. 19 (Environmental Protection Act) for approval of:

sewage works for the collection of domestic sewage with design daily sanitary sewage flow of **2,000 litres per day (L/day)** to service a single-family 4-bedroom cottage located at the above-mentioned Site Location within the Parcel leased by Works Owner from the Parcel Owner, consisting of one (1) Class 5 Sewage System (two (2) holding tanks), as follows:

two (2) proposed one-compartment holding tanks each with a minimum capacity of 6,765 litres (total capacity of 13,530 litres), both to be vented in compliance with requirements as per OBC and equipped with waterproof lockable access opening and a high water level alarm system connected to a device that shall produce audible and visual warning alarm, collecting raw sewage from the cottage, via 100 mm in diameter gravity pipe with a minimum slope of 1%.

all other controls, electrical equipment, instrumentation, piping, valves and appurtenances essential for the proper operation of the aforementioned sewage works; and,

all in accordance with Supporting Documentation submitted to the Ministry as listed in the **Schedule A** in this Approval.

For the purpose of this environmental compliance approval, the following definitions apply:

1. "Approval" means this entire Approval document and any Schedules to it, including the application and Supporting Documentation;
2. "Director" means a person appointed by the Minister pursuant to Section 5 of the EPA for the purposes of Part II.1 of the EPA;
3. "District Manager" means the District Manager of the Sault Ste. Marie Area Office;
4. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19, as amended;
5. "Licensed Installer" means a person who is registered under the OBC to construct, install, repair, service, clean or empty on-site sewage systems;
6. "Ministry" means the ministry of the government of Ontario responsible for the EPA and OWRA and includes all officials, employees or other persons acting on its behalf;
7. "OBC" means the Ontario Building Code;
8. "Owners" means the Parcel Owner and the Works Owner;
9. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;
10. "Parcel" means the parcel of land legally described as Con 6 Lot 1 NPT Lot 2 PCL 1769 ACS PCL 1664 ACS RP 1R8434 Part 11;
11. "Parcel Owner" means 1927510 Ontario Inc. and its successors and assignees;
12. "Professional Engineer" means a person entitled to practice as a Professional Engineer in the Province of Ontario under a licence issued under the *Professional Engineers Act*;
13. "Site Location" means Phillip's Bay Resort Cabin #3, 21 Phillips Bay Road, Part #11 of Lot 1&2, Concession 6, Municipality of Huron Shores, District of Algoma, Ontario;
14. "Supporting Documentation" means the documents listed in Schedule A of this Approval;
15. "Works" means the sewage works described in the application for approval of the Works and this Approval;

16. "Works Owner" means Hilary Clodagh Margaret Galey.

You are hereby notified that this environmental compliance approval is issued to you subject to the terms and conditions outlined below:

TERMS AND CONDITIONS

1. GENERAL PROVISIONS

1. The Owners shall ensure that the terms and conditions are carried out.
2. The Owners shall ensure that any person authorized to carry out work on or operate any aspect of the Works is notified of this Approval and the conditions herein and shall take all reasonable measures to ensure any such person complies with the same.
3. Except as otherwise provided by these conditions, the Owners shall design, build, install, operate and maintain the Works in accordance with the description given in this Approval, and the application for approval of the Works.
4. Where there is a conflict between a provision of any document in the schedule referred to in this Approval and the conditions of this Approval, the conditions in this Approval shall take precedence, and where there is a conflict between the documents in the schedule, the document bearing the most recent date shall prevail.
5. Where there is a conflict between the documents listed in the schedule submitted documents, and the application, the application shall take precedence unless it is clear that the purpose of the document was to amend the application.
6. The conditions of this Approval are severable. If any condition of this Approval, or the application of any requirement of this Approval to any circumstance, is held invalid or unenforceable, the application of such condition to other circumstances and the remainder of this Approval shall not be affected thereby.
7. The issuance of, and compliance with the conditions of, this Approval **does not**:
 - a. relieve any person of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement, including, but not limited to, the obligation to obtain approval from the local conservation authority necessary to construct or operate the sewage Works; or
 - b. limit in any way the authority of the Ministry to require certain steps be taken to require the Owner to furnish any further

information related to compliance with this Approval.

2. EXPIRY OF APPROVAL

1. This Approval will cease to apply to those parts of the Works which have not been constructed within five (5) years of the date of this Approval.

3. CHANGE OF OWNERS

1. The Owners shall notify the District Manager and the Director, in writing, of any of the following changes within thirty (30) days of the change occurring:

- a. change of Parcel Owner;
- b. change of Works Owner;
- c. change of address of the Parcel Owner;
- d. change of address of the Works Owner;
- e. change of partners where the Parcel Owner is or at any time becomes a partnership, and a copy of the most recent declaration filed under the *Business Names Act*, R.S.O. 1990, c.B17 shall be included in the notification to the District Manager;
- f. change of partners where the Works Owner is or at any time becomes a partnership, and a copy of the most recent declaration filed under the *Business Names Act*, R.S.O. 1990, c.B17 shall be included in the notification to the District Manager;
- g. change of name of the corporation where the Parcel Owner is or at any time becomes a corporation, and a copy of the most current information filed under the *Corporations Informations Act*, R.S.O. 1990, c. C39 shall be included in the notification to the District Manager;
- h. change of name of the corporation where the Works Owner is or at any time becomes a corporation, and a copy of the most current information filed under the *Corporations Informations Act*, R.S.O. 1990, c. C39 shall be included in the notification to the District Manager;

2. In the event of any change in ownership of the Works, other than a change to a successor municipality, the Owner shall notify in writing the succeeding owner of the existence of this Approval, and a copy of such notice shall be forwarded to the District Manager and the Director.

3. In the event of any change in ownership of the Parcel, other than a change to a successor municipality, the Owner shall notify in writing the succeeding owner of the existence of this Approval, and a copy of such notice shall be forwarded to the District Manager and the Director.
4. The Owners shall ensure that all communications made pursuant to this condition will refer to this Approval's number.

4. CONSTRUCTION

1. The Owners shall ensure that the construction of the Works is supervised by a Licensed Installer or a Professional Engineer.
2. Upon construction of the Works, the Owners shall prepare a statement, certified by a Licensed Installer or a Professional Engineer, that the Works are constructed in accordance with this Approval, and upon request, shall make the written statement available for inspection by Ministry staff.
3. Upon construction of the Works, the Owners shall prepare a set of as-built drawings showing the works "as constructed". "As-built" drawings shall be kept up to date through revisions undertaken from time to time and a copy shall be retained at the site for the operational life of the Works and shall be made available for inspection by Ministry staff.

5. OPERATIONS AND MAINTENANCE

1. The Owners shall maintain and service the Works in such a manner that leaks and spills are prevented.
2. The Owners shall have a valid agreement with a hauler who is in possession of a valid Waste Management Systems Approval at all times during the operation of the Works and who will haul sewage to an approved wastewater treatment facility or sewage disposal site.
3. The Owners shall exercise due diligence in ensuring that, at all times, the Works and the related equipment and appurtenances used to achieve compliance with this Approval are properly operated and maintained. Proper operation and maintenance shall include effective performance, adequate funding, process controls and alarms, and other substances used in the Works.
4. The Owners shall prepare an operations manual prior to introduction of sewage to the Works, that includes, but not necessarily limited to, the following information:
 - a. operating procedures for routine operation of all the Works;
 - b. inspection programs, including frequency of inspection, for all the Works and the methods or tests employed to detect when

maintenance is necessary;

- c. repair and maintenance programs, including the frequency of repair and maintenance for all the Works; copies of maintenance contracts for any routine inspections & pump-outs should be included for all the tanks and treatment units;
 - d. procedures for the removal and disposal of sewage from the Works to an approved sewage disposal site by a licensed hauler approved by the Ministry;
 - e. procedures for the inspection and calibration of monitoring equipment;
 - f. a spill prevention control and countermeasures plan, consisting of contingency plans and procedures for dealing with equipment breakdowns, potential spills and any other abnormal situations, including notification of the District Manager; and
 - g. procedures for receiving, responding and recording public complaints, including recording any follow-up actions taken.
5. The Owners shall maintain a logbook to record the septage volumes pumped from the Works, date, hauler's name, septage disposal, inspections, cleaning and maintenance operations undertaken and shall make the logbook available for inspection by the Ministry upon request.
 6. The Owners shall maintain the operations manual current and retain a copy at the location of the Works for the operational life of the Works. Upon request, the Owner shall make the manual available to Ministry staff.
 7. The Owners shall ensure that appropriate mitigative measures are taken for any objectionable odour that is generated from the Works.

6. RECORDING

1. The Owners shall retain for a minimum of **five (5) years** from the date of their creation, all records and information related to or resulting from the operation and maintenance activities required by this Approval. These records and information shall be made available for inspection by the Ministry, upon request.

Schedule A

1. Application for Environmental Compliance Approval submitted by Hilary Clodagh Margaret Galey received on January 31, 2019 for the

proposed Class 5 sewage system.

The reasons for the imposition of these terms and conditions are as follows:

1. Condition 1 is imposed to ensure that the Works are built and operated in the manner in which they were described for review and upon which approval was granted. This condition is also included to emphasize the precedence of Conditions in the Approval and the practice that the Approval is based on the most current document, if several conflicting documents are submitted for review. The condition also advises the Owners of their responsibility to notify any person they authorized to carry out work pursuant to this Approval the existence of this Approval.
2. Condition 2 is included to ensure that, when the Works are constructed, the Works will meet the standards that apply at the time of construction to ensure the ongoing protection of the environment.
3. Condition 3 is included to ensure that the Ministry records are kept accurate and current with respect to the Works and to ensure that subsequent owners of the Parcel and the Works are made aware of the Approval and continue to operate the Works in compliance with it.
4. Condition 4 is included to ensure that the Works are constructed, and may be operated and maintained such that the environment is protected and deterioration, loss, injury or damage to any person or property is prevented.
5. Condition 5 is included to require that the Works be properly operated, maintained, and equipped such that the environment is protected. As well, the inclusion of an operations manual, maintenance agreement with the hauler and a complete set of "as constructed" drawings governing all significant areas of operation, maintenance and repair is prepared, implemented and kept up-to-date by the Owners and made available to the Ministry. Such information is an integral part of the operation of the Works. Its compilation and use should assist the Owners in staff training, in proper plant operation and in identifying and planning for contingencies during possible abnormal conditions. The manual will also act as a benchmark for Ministry staff when reviewing the Owners' operation of the Works.
6. Condition 6 is included to provide a performance record for future reference, to ensure that the Ministry is made aware of problems as they arise, and to provide a compliance record for all the terms and conditions outlined in this Approval, so that the Ministry can work with the Owners in resolving any problems in a timely manner.

In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me, the Environmental Review Tribunal and in accordance with Section 47 of the Environmental Bill of Rights, 1993, the Minister of the Environment, Conservation and Parks, within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Minister of the Environment, Conservation and Parks will place notice of your appeal on the Environmental Registry. Section 142 of the Environmental Protection Act provides that the Notice requiring the hearing shall state:

- a. The portions of the environmental compliance approval or each term or condition in the environmental compliance approval in respect of which the hearing is required, and;
- b. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The Notice should also include:

1. The name of the appellant;
2. The address of the appellant;
3. The environmental compliance approval number;
4. The date of the environmental compliance approval;
5. The name of the Director, and;
6. The municipality or municipalities within which the project is to be engaged in.

And the Notice should be signed and dated by the appellant.

This Notice must be served upon:

The Secretary*
Environmental Review Tribunal
655 Bay Street, Suite 1500
Toronto, Ontario
M5G 1E5

AND
The Minister of the Environment,
Conservation and Parks
777 Bay Street, 5th Floor
Toronto, Ontario
M7A 2J3

AND
The Director appointed for the purposes of
Part II.1 of the Environmental Protection Act
Ministry of the Environment, Conservation
and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

*** Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349, Fax: (416) 326-5370 or www.ert.gov.on.ca**

This instrument is subject to Section 38 of the Environmental Bill of Rights, 1993, that allows residents of Ontario to seek leave to appeal the decision on this instrument. Residents of Ontario may seek leave to appeal within 15 days from the date this decision is placed on the Environmental Registry. By accessing the Environmental Registry at www.ebr.gov.on.ca, you can determine when the leave to appeal period ends.

The above noted activity is approved under s.20.3 of Part II.1 of the Environmental Protection Act.

DATED AT TORONTO this 19th day of July,
2019

Youssef Kalogo, P.Eng.
Director
appointed for the purposes of Part
II.1 of the *Environmental Protection
Act*

SO/

c: Area Manager, MECP Sault Ste. Marie Area Office

c: District Manager, MECP Sudbury District Office

Marshall Thompson, P.Eng., Tulloch Engineering