

## Director's Order

**Order Number**  
SCTP-DO001FA

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. P11 (PA)  
Safe Drinking Water Act, S.O. 2002, c.32 (SDWA)  
Nutrient Management Act, 2002, S.O. 2002, c.4 (NMA)

**TO:** 1347921 Ontario Inc.  
21 Eden Ave  
Markham, Ontario, L3R 6P9

**AND**

Harinder Singh Lamba  
21 Eden Ave  
Markham, Ontario, L3R 6P9

**AND**

Raza Hussein Jessa  
11 Westminster Drive  
Richmond Hill, Ontario L4B 1P4

Hereinafter referred to as the "Orderees".

**Site:** Stoney Creek Trailer Park  
Part of Lot 6, Concession 5 (former Ops Township)  
City of Kawartha Lakes, Ontario

## Part 1: Legal Authority and Reasons for the Order

### 1.1 Legislative Authority

- 1.1.1 Pursuant to subsection 1 (1) of the *Environmental Protection Act*, R.S.O. 1990, c. E.19, ("EPA"), "**contaminant**" means any solid, liquid, gas, odour, heat, sound, vibration, radiation or combination of any of them resulting directly or indirectly from human activities that causes or may cause an adverse effect.
- 1.1.2 Pursuant to subsection 1 (1) of the EPA the meaning of "**discharge**", when used as a verb, includes add, deposit, leak or emit and, when used as a noun, includes addition, deposit, emission or leak.
- 1.1.3 Pursuant to subsection 1(1) of the EPA "**adverse effect**" means one or more of,
- (a) impairment of the quality of the natural environment for any use that can be made of it,
  - (b) injury or damage to property or to plant or animal life,
  - (c) harm or material discomfort to any person,
  - (d) an adverse effect on the health of any person,
  - (e) impairment of the safety of any person,
  - (f) rendering any property or plant or animal life unfit for human use,
  - (g) loss of enjoyment of normal use of property, and
  - (h) interference with the normal conduct of business.
- 1.1.4 Pursuant to subsection 1(1) of the EPA "**natural environment**" means the air, land and water, or any combination or part thereof, of the Province of Ontario.
- 1.1.5 Subsection 18(1) of the EPA reads as follows:
- The Director, in the circumstances mentioned in subsection (2), by a written order may require a person who owns or owned or who has or had management or control of an undertaking or property to do any one of more of the following:
1. To have available at all times, or during such periods of time as are specified in the order, the equipment, material and personnel specified in the order at the locations specified in the order.
  2. To obtain, construct and install or modify the devices, equipment and facilities specified in the order at the locations and in the manner specified in the order.
  3. To implement procedures specified in the order.

4. To take all steps necessary so that procedures specified in the order will be implemented in the event that a contaminant is discharged into the natural environment from the undertaking or property.
5. To monitor and record the presence or discharge of a contaminant specified in the order and to report thereon to the Director.
6. To study and to report to the Director on,
  - i. the presence or discharge of a contaminant specified in the order,
  - ii. the effects of the presence or discharge of a contaminant specified in the order,
  - iii. measures to control the presence or discharge of a contaminant into the natural environment,
  - iv. the natural environment into which a contaminant specified in the order may be discharged.
7. To develop and implement plans to,
  - i. reduce the amount of a contaminant that is discharged into the natural environment,
  - ii. prevent or reduce the risk of a spill of a pollutant within the meaning of Part X, or
  - iii. prevent, decrease or eliminate any adverse effects that result or may result from a spill of a pollutant within the meaning of Part X or from any other discharge of a contaminant into the natural environment, including,
    - A. plans to notify the Ministry, other public authorities and members of the public who may be affected by a discharge, and
    - B. plans to ensure that appropriate equipment, material and personnel are available to respond to a discharge.
8. To amend a plan developed under paragraph 7 or section 91.1 in the manner specified in the order. R.S.O. 1990, c. E.19, s. 18 (1); 2005, c. 12, s. 1 (8, 9).

1.1.6 Subsection 18(2) of the EPA provides that the Director may make an order under section 18(1) if the Director is of the opinion, on reasonable and probable grounds, that the requirements specified in the order are necessary or advisable so as,

- (a) To prevent or reduce the risk of a discharge of a contaminant into the natural environment from the undertaking or property; or
- (b) To prevent, decrease or eliminate an adverse effect that may result from,
  - (i) the discharge of a contaminant from the undertaking, or
  - (ii) the presence or discharge of a contaminant in, on or under the property.

1.1.7 Section 131 of the EPA defines “**works**” for the purposes of Part XII of the EPA as an activity, facility, thing, undertaking or site in respect of which an approval or order is issued or a registration under Part II.2 is in effect.

1.1.8 Subsection 132(1) of the EPA reads as follows:

The Director may include in an approval or order in respect of a works a requirement that the person to whom the approval is issued or the order is directed provide financial assurance to the Crown in right of Ontario for any one or more of,

- (a) the performance of any action specified in the approval or order;
- (b) the provision of temporary or permanent alternate water supplies to replace those that the Director has reasonable and probable grounds to believe are or are likely to be contaminated or otherwise interfered with by the works to which the approval or order is related; and
- (c) measures appropriate to prevent adverse effects upon and following the cessation or closing of the works.

1.1.9 Subsection 196(1) of the EPA reads as follows:

The authority to make an order under this Act includes the authority to require the person or body to whom the order is directed to take such intermediate action or such procedural steps or both as are related to the action required or prohibited by the order and as are specified in the order.

1.1.10 Subsection 197(1) of the EPA provides that a person who has authority under this Act to make an order or decision affecting real property also has authority to make an order requiring any person with an interest in the property, before dealing with the property in any way, to give a copy of the order or decision affecting the property to every person who will acquire an interest in the property as a result of the dealing.

1.1.11 Subsection 197(2) of the EPA provides that a certificate setting out a requirement imposed under subsection (1) may be registered in the proper land registry office on the title of the real property to which the requirement relates, if the certificate is in a form approved by the Minister, is signed or authorized by a person who has authority to make orders imposing requirements under subsection (1) and is accompanied by a registerable description of the property.

1.1.12 Section 1 of the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40 (OWRA) defines "sewage works" as any works for the collection, transmission, treatment and disposal of sewage, or any part of any such works, but does not include plumbing to which the *Building Code Act*, 1992 applies.

1.1.13 Section 1 of the (OWRA) defines “sewage” as “includes drainage, storm water, commercial wastes and industrial wastes and such other matter or substance as is specified by the regulations.

- 1.1.14 Section 61 of the OWRA provides that Sewage works shall at all times be maintained, kept in repair and operated in such manner and with such facilities as may be directed from time to time by a Director.
- 1.1.15 Section 89 of the OWRA provides that Where an order to pay costs is directed to a person who has given a deposit under a regulation made under the Environmental Protection Act or is in respect of works or property for which financial assurance is required under Part XII of that Act or a regulation made under clause 176 (2.4) (i) of that Act, the deposit or financial assurance may be used to recover amounts specified in the order to pay costs.
- 1.1.16 Subsection 91 (1) of the OWRA provides that If an industrial or commercial enterprise makes arrangements for the collection, transmission, treatment or disposal of sewage that are considered unsatisfactory by a Director, the Director may require such industrial or commercial enterprise,
- (a) to make investigations and submit reports to the Director in respect of the collection, transmission, treatment or disposal of sewage;
  - (b) to install, construct or arrange such facilities for the collection, transmission, treatment or disposal of sewage; and
  - (c) to maintain, keep in repair and operate such facilities, as may be directed from time to time by order of the Director.
- 1.1.17 Subsection 91 (2) - If an industrial or commercial enterprise makes no arrangements for the collection, transmission, treatment or disposal of sewage, a Director may require such industrial or commercial enterprise,
- (a) to make investigations and submit reports to the Director in respect of the collection, transmission, treatment or disposal of sewage;
  - (b) to install, construct or arrange such facilities for the collection, transmission, treatment or disposal of sewage; and
  - (c) to maintain, keep in repair and operate such facilities, as may be directed from time to time by order of the Director.
- 1.1.18 Section 92 of the OWRA provides that If, in the opinion of a Director, a discharge of sewage into a sewage works may interfere with the proper operation of a sewage works, the Director may by order require the person that discharges or causes or permits the discharge of sewage,
- (a) to stop or regulate such discharge; or
  - (b) to take action in accordance with and within the time required by the order.
- 1.1.19 Subsection 103(1) of the OWRA provides that a person who has authority under this Act to make a direction, order, notice or decision affecting land also has authority to make an order requiring any person with an interest in the land, before dealing with the land in any way, to give a copy of the direction, order,

notice or decision affecting the land to every person who will acquire an interest in the land as a result of the dealing.

1.1.20 Subsection 104(2) of the OWRA provides that the authority to make an Order under this Act includes the authority to require the person or body to whom the Order is directed to take such intermediate action or such procedural steps or both as are related to the action required or prohibited by the Order and as are specified in the Order.

## **1.2 Details of the Orderees and the Site**

The attached Provincial Officer's Report No. 5431-BBCQKA (see Attachment A) prepared by Senior Environmental Officer Glenn Rutherford provides a detailed description of the Site and the Orderees, as well as a historical background summary of the various environmental incidents and issues at the Site.

The Site is a trailer park complex located on a parcel of land situated west of Highway 35 and north of Stoney Creek Road, and southeast of the Stoney Creek water course, in the former Ops Township, City of Kawartha Lakes. The trailer park is operated on a year-round basis, and the residents lease trailer lots and reside there on a year-round basis.

The Site and the Sewage Works at the Site is owned by 1347921 Ontario Inc. (the 'Company').

Mr. Harinder Lamba is a Director and an Officer of the Company and, as such, has management and control of the Company and of the Site and Sewage Works at the Site.

Mr. Raza Hussein Jessa is also a Director and an Officer of the Company and, as such, has management and control of the Company and of the Site and Sewage Works at the.

## Part 2: Definitions

For the purposes of this Order, the following terms shall have the meanings described below:

“Adverse Effect” has the same meaning as in subsection 1(1) of the EPA; namely one or more of,

- (a) impairment of the quality of the natural environment for any use that can be made of it;
- (b) injury or damage to property or to plant or animal life;
- (c) harm or material discomfort to any person;
- (d) an adverse effect on the health of any person;
- (e) impairment of the safety of any person;
- (f) rendering any property or plant or animal life unfit for human use;
- (g) loss of enjoyment of normal use of property; and,
- (h) interference with the normal conduct of business.

“Company” means 1347921 Ontario Inc., the current owner of the Site and the Sewage Works on the Site.

“Contaminants of Concern” includes but is not necessarily limited to domestic sewage and its constituent components, such as compounds of nitrogen and of phosphorus, that are produced from the operation of the trailer park located at the Site.

“Director” means the undersigned or any other person appointed for purposes of s. 18, 132, 196 and 197 of the EPA and s. 61, 89, 91(1) 92, 103 and 104(2) of the OWRA.

“EASR” means Environmental Activities and Sectors Registry.

“ECA” means Environmental Compliance Approval number 9505-B5LM66 (a copy of which is attached hereto as Attachment “B”) issued to the Company by the Ministry on November 1, 2018, which revoked and replaced ECA 0606-629L3X issued on February 6, 2006.

“EBR” means the *Environmental Bill of Rights, 1993*, S.O. 1993, c. 28.

“Environment Minister” means the member of the Executive Council to whom the administration of the EBR is assigned under the *Executive Council Act*.

“EPA” means the *Environmental Protection Act*, R.S.O. 1990, c. E.19.

“Financial Assurance” or “FA” means one or more of,

- (a) cash, in the amount specified in the approval, order or certificate of property use,

- (b) a letter of credit from a bank, in the amount and terms specified in the approval, order or certificate of property use,
- (c) negotiable securities issued or guaranteed by the Government of Ontario or the Government of Canada in the amount specified in the approval, order or certificate of property use,
- (d) a personal bond accompanied by collateral security, each in the form, terms and amount specified in the approval, order or certificate of property use,
- (e) the bond of an insurer licensed under the Insurance Act to write surety and fidelity insurance in the form, terms and amount specified in the approval, order or certificate of property use,
- (f) a bond of a guarantor, other than an insurer referred to in clause (e), accompanied by collateral security, each in the form, terms and amount specified in the approval, order or certificate of property use,
- (g) an agreement, in the form and terms specified in the approval, order or certificate of property use, and
- (h) an agreement, in the form and terms prescribed by the regulations.

“Approved Septage Hauler” means an individual or business entity in possession of either an ECA for a waste management system for the management of hauled sewage (septage) or registered on the Environmental Activity and Sector Registry (EASR) for a waste management system for hauling sewage (septage).

“Licensed Installer” means a person who is registered under the Ontario Building Code to construct, install, repair, service, clean, or empty on-site sewage systems.

“Ministry” or “ministry” or “MECP” means the Ontario Ministry of the Environment, Conservation and Parks.

“Orderees” means 1347921 Ontario Inc. and Harinder Singh Lamba and Raza Hussein Jessa.

“OWRA” means the Ontario Water Resources Act, R.S.O. 1990.

“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*.

“Professional Geoscientist” means a person entitled to practice as a Professional Geoscientist in the Province of Ontario under a license issued by Professional Geoscientists Ontario under the *Professional Geoscientists Act*.



"Provincial Officer" means the Provincial Officer who signed the attached Provincial Officer's Report or, in the event that the undersigned is unable to act, any other Provincial Officer authorized to act pursuant to the OWRA and EPA.

"Sewage Works" means any works for the collection, transmission, treatment and disposal of sewage, or any part of any such works, but does not include plumbing to which the Building Code Act, 1992 applies.

"Sewage" includes drainage, storm water, commercial wastes and industrial wastes and such other matter or substance as is specified by the regulations of the OWRA.

"Site" means the Stoney Creek Trailer Park located at Part of Lot 6, Concession 5 (former Ops Township), City of Kawartha Lakes, Ontario. The legal description of the Site is: PT E1/2 LT 6 CON 5 OPS AS IN R360321; S/T O12612, R240895 CITY OF KAWARTHA LAKES.

"Tribunal" means the Environmental Review Tribunal.

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### **Part 3: Summary of Events Leading to the Issuance of the Order**

I am advised by the Provincial Officer's Report of Glenn Rutherford, Senior Environmental Officer for the Ministry, a copy of which is attached hereto as Attachment "A", of the facts upon which this Order is based. The Provincial Officer's Report provides a detailed background summary of the various environmental incidents and non-compliance issues associated with the Site and the Sewage Works at the Site. A brief synopsis is provided in sections 3.1 to 3.3, below.

#### **3.1 Environmental Concerns associated with the Sewage Works at the Site**

Since 2004, there have been numerous reported instances of Sewage backing up into the plumbing of trailers and leaking out from septic disposal beds onto ground surface at the Site. This represents a risk to human health and the natural environment through potential direct contact and surface runoff of untreated Sewage.

There is also an issue of concentrated Sewage loading from the various trailers into the septic disposal beds which are located on a small parcel of land adjacent to the Stoney Creek water course. This situation represents a potential for environmental impacts to the groundwater quality, and to the surface water quality in Stoney Creek where the shallow groundwater discharges.

#### **3.2 History and Background**

There have been multiple incidents involving operational and compliance problems associated with various components of the Sewage Works at the Site as detailed in the attached Provincial Officer's Report. This history demonstrates ongoing and repetitive non-compliance and inaction by the Orderes to properly construct, operate and maintain the Sewage Works at the Site.

As detailed in the Provincial Officer's Report, there have been a series of orders issued to address problems with the Sewage Works at the Site and related non-compliance incidents. As summarized there, much of the work required by the orders was not completed to the Ministry's satisfaction and the issues that the orders were intended to address remain unresolved. As such, additional compliance actions should be taken to resolve these issues.

#### **3.3 Current Status of Site Operations and the Sewage Works at the Site**

As detailed in the attached Provincial Officer's Report, there continues to be unresolved issues of non-compliance and operational problems with various components of the Sewage Works at the Site. There are four trailer lots currently experiencing acute problems with the sewage disposal system components that serve their lots (addresses): 17 Otter Line, 63 and 69 Otter Line and 2 Driftwood Crescent (which is indicated as 2 Otter Line in the ECA).

In 2018, the ECA was issued to the Company as a temporary measure to allow for the interim replacement of the Sewage Works that serve the aforementioned four trailer lots.

Condition 9 (Special Condition) of the ECA requires the Company to, within six (6) months of issuance of the ECA, have a report prepared by a Professional Engineer and submitted to the District Manager, on the assessment of all existing Sewage Works at the Site, as described within the ECA. The ECA specified the information that was to be included in the assessment and included the following (summarized; refer to the ECA for full details):

- a Site plan showing the location of all existing Sewage Works at the Site and other features;
- a technical description of each of the existing Sewage Works at the Site;
- a report of any deficiencies/concerns with the existing Sewage Works at the Site identified during the assessment;
- recommendations for any necessary improvements/replacements for addressing the deficiencies/concerns with the existing Sewage Works at the Site and an anticipated implementation schedule;
- a survey showing all existing supply wells in and around the property and a hydrogeological report to determine the cumulative impact of the with the existing Sewage Works at the Site on these wells and nearby surface water.

Condition 9 also requires, within one year of issuance of the ECA, the Company to submit an application for amendment of the ECA to include all existing Sewage Works in operation at the Site and any proposed improvements to the existing Sewage Works at the Site.

It is noted that the application submitted by the Orderees in support of the ECA did not include a full assessment of the Sewage Works at the Site and did not include additional supporting information such as a hydrogeological and surface water impact assessment. As such, the application was deemed incomplete. While such an application would normally have been returned to the applicant as incomplete, in this specific situation, following discussions between Ministry staff and with input from the consultant who had competed the application, a temporary ECA was issued to allow the replacement of the Sewage Works at 2 Otter Line, 17 Otter Line and 63 and 69 Otter Line by the Company to address more immediate concerns with those Sewage Works. Condition 2 of the ECA addresses the temporary nature of the ECA whereby the ECA expires on June 1, 2020.

Condition 9 (Special Condition) of the ECA has not been completed. The trailer park Site manager has been having septic tank pumping contractors pump out the septic tanks as an interim action so that the residents are able to continue living in their trailers, however, this is not an acceptable long-term measure and the Sewage Works at the Site need to be properly assessed and upgraded to meet applicable Ministry

standards without further delay to mitigate potential impacts to human health and the natural environment.

### **3.4 Director's Basis for this Order**

3.4.1 Based on the foregoing, I am of the opinion that the Orderees are currently the owners or persons in management or control of the Site, the Sewage Works at the Site and/or of activities undertaken or currently being undertaken on the Site.

3.4.2 Based on the foregoing and as detailed in the attached Provincial Officer's Report, I am of the opinion that it is reasonable to believe that various components of the Sewage Works at the Site are not functioning properly which may cause adverse impacts to human health and the natural environment. The Sewage Works at the Site has in excess of 35 years of operating service. The continued breakdown of the Sewage Works at the Site has resulted in the impairment of the quality of the surface water, groundwater and may continue to do so and may ultimately impact the waterworks supply source for the residents of the trailer park located at the Site. There are approximately 35 trailer lots with occupants at the Site which are serviced by the Sewage Works at the Site. The Sewage Works at the Site also pose a potential danger to the health and safety of any person who may come in contact with sewage that is discharged to the ground. The capability of the Sewage Works at the Site to operate in a satisfactory manner, both in the short and longer term, is questionable based on documented failures to date. Further, the Sewage Works at the Site is currently in a state of non-compliance with the ECA issued for the Sewage Works and this needs to be rectified.

2.3.4.3 The Site is a source of Contaminants of Concern, namely domestic sewage and its constituent components, which is likely flowing off-Site via the shallow groundwater flow and discharging into the adjacent Stoney Creek water course. Contaminants of Concern may also be discharging onto the ground surface at the Site where there is a break-out of sewage from septic disposal beds (or other parts of the Sewage Works at the Site) where it may be contacted by persons or animals, and it may migrate to the surface water course via surface water runoff.

3.4.4 If the Sewage Works at the Site is not properly constructed, assessed and improved to meet current regulatory requirements, groundwater and/or surface water contaminated with the Contaminants of Concern may continue to represent a potential impact to human health and the natural environment and may continue to migrate off the Site and impact the adjacent Stoney Creek water course.

- 3.4.5 I reasonably believe that the requirements of this Order are necessary and advisable to prevent or reduce the risk of a discharge of Sewage and/or groundwater and/or surface water impacted with the Contaminants of Concern into the natural environment from the Site and to prevent, decrease or eliminate any adverse effects that may result from such a discharge or from the presence or discharge of the Contaminants of Concern and Sewage in, on or under the Site related to groundwater and surface water impacts, as well as potential direct contact by humans or animals.
- 3.4.6 I am of the opinion that it is reasonable and appropriate, and consistent with my authority under section 132 of the EPA and the Ministry's Financial Assurance Guideline F-15, specifically sections 4.4 and 4.4.5 of that Guideline, that Financial Assurance be provided by the Orderees so that funds are available for the MECP, in the event that the Orderees are unable or become unable or unwilling to undertake the necessary assessment, operation and maintenance of the Sewage Works at the Site and to provide ongoing care, monitoring and control of the Sewage management and disposal issues related to the Site.
- 3.4.7 Pursuant to the authority vested in me by sections 18, 132, 196(1) and 197 of the EPA and s. 61, 89, 91(1) 92, 103 and 104(2) of the OWRA, I hereby order the Orderees, jointly and severally, to do the work required in the Items under the heading "Part 4 - Work Ordered", below.

## **Part 4: Work Ordered**

### **Item No. 1**

Within fifteen (15) days of service of this Order, submit written confirmation to the Director that the professional and contractor services listed below have been retained and that a copy of this Order has been provided to each entity:

- a) an Approved Septage Hauler to complete all work specified in Work Ordered Item No. 4 of this Order.
- b) a Licensed Installer or a Professional Engineer to prepare and complete all work specified in Work Ordered Item No. 5 of this Order.
- c) a Professional Engineer with experience and expertise in the design, construction and operation of sewage systems to conduct the work required by Item Nos. 6, 7 and 8 of this Order. The written confirmation shall include but not necessarily be limited to the name of the individual or company, proof of retention and a description of their qualifications and experience.
- d) a Professional Engineer or Professional Geoscientist with experience and expertise in assessing groundwater and surface water impacts from sewage disposal systems to undertake the hydrogeological impact assessment part of the work required by Work Ordered Item Nos. 6 and 7 of this Order. The written confirmation shall include but not necessarily be limited to the name of the individual or company, proof of retention and a description of their qualifications and experience.

### **Item No. 2**

Within thirty (30) days of service of this Order, provide written confirmation to the Director that the Approved Septage Hauler retained as a result of Item No. 1 has commenced the activities and tasks required by Item No. 4 of this Order.

### **Item No. 3**

Within thirty (30) days of service of this Order, provide written confirmation to the Director that the Licensed Installer or a Professional Engineer retained as a result of Item No. 1 has commenced the activities and tasks required by Items No. 5 of this Order,

**Item No. 4**

Commencing immediately, and until all work required by this Order has been completed, have the Approved Septage Hauler retained under Item No. 1 undertake inspections of the contents levels in the septic tanks that serve 63 and 69 Otter Line, 17 Otter Line and 2 Driftwood Crescent on a frequency of every three weeks to determine which tanks are approaching full capacity, pump out the contents of those tanks and dispose of them at an appropriately licenced facility or location.

**Item No. 4a**

Commencing immediately, and until all work required by this Order has been completed, maintain and make available for inspection upon request by the Ministry, records of the pump-outs and paid invoices for the services of the Approved Septage Hauler.

**Item No. 5**

By May 31, 2020, provide written confirmation to the Director that the Licensed Installer or Professional Engineer retained under Item No. 1 has completed the installation of the Sewage Works that are approved by the ECA

**Item No. 6**

By September 30, 2019, submit to the Director an Action Plan, for his review and acceptance, prepared by the Professional Engineer retained under Work Ordered Item No. 1, which shall include but not necessarily be limited to identification of the actions that will be taken and when those actions will be taken to ensure the completion of Condition 9 of ECA No. 9505-B5LM66

**Item No. 7**

Upon receipt of the undersigned Director's acceptance of the proposed Action Plan, implement the accepted Action Plan.

**Item No. 8**

Within 60 days of service of this Order, submit to the Director, for acceptance, a Financial Assurance evaluation prepared by the Professional Engineer retained under Work Ordered Item No. 1, in accordance with the Ministry's Financial Assurance Guideline F-15, which shall provide in detail, a schedule of dates and payment amounts, if applicable, that shall be provided to the ministry as Financial Assurance to provide sufficient funds to implement and complete the ongoing work required by Item No. 4 of this Order for an operational planning period of three (3) years and for implementation of the accepted Action Plan. The Financial Assurance evaluation shall include written analyses, detailed and itemized calculations, and, if necessary, accounting documents to provide a justification of the proposed amounts and payment schedule, if applicable.

**Item No. 9**

Within twenty-one (21) days of receipt of the Director's acceptance of the Financial Assurance evaluation submitted pursuant to Item No. 8 of this Order, submit to the Director payment of the accepted amount of Financial Assurance in a form that meets the requirements as set out in Section 131 of the EPA.

**Item No. 10**

Within thirty (30) days of service of this Order, the Company shall register the Certificate of Requirement as set out in Attachment C on title of the Site in the appropriate land registry office.

**Item No. 11**

Within five (5) days of registration of the Certificate of Requirement set out in Attachment C, the Company shall provide written verification to the Director that the Certificate of Requirement has been registered on title to the Site.

**Item No. 12**

Before dealing with the Site in any way, the Orderees shall give a copy of this Order to every person who will acquire an interest in the Site as a result of the dealing.



## Part 5: General Requirements

- 5.1. The requirements of this Order are minimum requirements only and do not relieve the Orderees from:
- complying with any other applicable order, statute or regulation; and
  - obtaining any approvals or consents not specified in this Order.
- 5.2. If you are unable to comply with any of the requirements of this Order, you may make written submission to the Director. Upon consideration of these submissions the Director may amend this Order.
- 5.3. Notwithstanding the issuance of this Order, further or other orders may be issued in accordance with the EPA and OWRA or other legislation administered by the ministry as circumstances require. In particular, the Director shall issue an order where the acceptance or approval of the Director is required in respect of a matter under this Order and,
- the Director does not grant acceptance or approval; or,
  - the Director grants acceptance or approval, but with changes that have not been agreed to by the person(s) required to obtain the acceptance or approval.
- 5.4. Where this Order directs that the acceptance or approval of the Director shall be obtained, the Director shall not unreasonably withhold such acceptance or approval.
- 5.5. The requirements set out in this Order are severable. If any requirement of this Order is held to be invalid with regard to a particular circumstance, it will not affect the application of that requirement to other circumstances and will not affect the remainder of this Order.
- 5.6. Subsection 19(1) of the EPA and subsection 13(1) of the OWRA provides that an Order or approval of a Court, the Minister of the Environment, Conservation and Parks, or the Director is binding upon the successor or assignee of the person to whom it is directed.
- 5.7. Subsection 186(2) of the EPA and subsection 107(2) of the OWRA provides that non-compliance with the requirements of this Order constitutes an offence.
- 5.8. Unless stayed by application under Section 143 of the EPA or Section 102 of the OWRA, this Order is effective upon it being served upon you and its terms and conditions shall be in force until such time as they are amended or revoked by the Director.

## Part 6: Hearing Before the Environmental Review Tribunal

- 6.1. Pursuant to Section 140 of the EPA and Section 100 of the OWRA, you may require a hearing before the Tribunal), if, within fifteen (15) days after service upon you of this Order, you serve written notice upon the Tribunal and the Director as set out in section 6.3.
- 6.2. Pursuant to Section 142 of the EPA and Section 101 of the OWRA, notice requiring the hearing must include a statement of the portions of the Order for which the hearing is required and the grounds on which you intend to rely at the hearing. Except by leave of the Tribunal, you are not entitled to appeal a portion of the Order or to rely on grounds of appeal that are not stated in the notice requiring the hearing.
- 6.3. Service of a notice requiring a hearing must be carried out in a manner set out in Section 182 of the EPA and Ontario Regulations 227/07 and 226/07: *Service of Documents* made under the EPA and OWRA as they may be amended from time to time. The address, email address and fax numbers of the Director and the Tribunal are:

The Secretary  
Environmental Review Tribunal  
655 Bay Street, Suite 1500  
Toronto, Ontario  
M5G 1E5  
Fax: (416) 314-4506  
Email: ERTTribunalSecretary@ontario.ca

and

David Bradley, Director  
Ontario Ministry of the Environment, Conservation and Parks  
Peterborough District Office  
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Peterborough, Ontario K9J 3C7  
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Where service is made by mail, the service shall be deemed to be made on the fifth (5) day after the day of mailing and the time for requiring a hearing is not extended by choosing service by mail.

Unless stayed by application to the Environmental Review Tribunal under Section 143 of the EPA and/or Section 102 of the OWRA, this Order is effective from the date of issue.

- 6.4. If you commence an appeal before the Environmental Review Tribunal, under Section 47 of the Environmental Bill of Rights, 1993 (EBR), you must give notice to the public in the EBR registry. The notice must include a brief description of this Order (sufficient to identify it) and a brief description of the grounds of appeal.
- 6.5. The notice must be delivered to the Environment Minister who will place it on the EBR registry. The notice must be delivered to the Environment Minister at: 777 Bay Street, 5<sup>th</sup> Floor, Toronto, Ontario M7A 2J3 by the earlier of:
  - two (2) days of commencing the appeal before the Tribunal; and,
  - fifteen (15) days after this Order.
- 6.6. Pursuant to subsection 47(7) of the EBR, the Tribunal may permit any person to participate in the appeal, as a party or otherwise, in order to provide fair and adequate representation of the private and public interests, including governmental interests, involved in the appeal.
- 6.7. For your information, under Section 38 of the EBR, any person resident in Ontario with an interest in this Order may seek leave to appeal the Order. Under Section 40 of the EBR, the application for leave to appeal must be made to the Review Tribunal by the earlier of: fifteen (15) days after notice of this Order is given in the EBR registry; and, if you appeal, fifteen (15) days after your notice of appeal is given in the EBR registry.

Issued at Peterborough this XX<sup>th</sup> day of XXXX, 2019.

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David Bradley  
District Manager and Director  
Ontario Ministry of the Environment, Conservation and Parks  
Peterborough District Office

Attachments to Order:

Attachment A – Provincial Officer's Report No. 5431-BBCQKA

Attachment B – Environmental Compliance Approval (ECA) No. 9505-B5LM66

Attachment C – Certificate of Requirement for Registration on Property Title

**Attachment A**

**to Order Number SCTP-DO001FA**

**Provincial Officer's Report No. 5431-BBCQKA**



## Provincial Officer's Report

**Order Number**  
SCTP-DO001FA

1347921 Ontario Inc.  
21 Eden Ave  
Markham, Ontario, L3R 6P9

Harinder Singh Lamba  
21 Eden Ave  
Markham, Ontario, L3R 6P9

Raza Hussein Jessa  
11 Westminster Drive  
Richmond Hill, Ontario L4B 1P4

**Site:** Stoney Creek Trailer Park  
Part of Lot 6, Concession 5 (former Ops Township)  
City of Kawartha Lakes, Ontario

## **Observations**

On 2019/04/08, I visited the above site(s) and made the following observations:

### **1. Description of the Site and the Company**

The Site is a year-round trailer park complex located on a parcel of land situated west of Highway 35 and north of Stoney Creek Road and southeast of Stoney Creek, in the former Ops Township, City of Kawartha Lakes which operates under the name Stoney Creek Trailer Park.

The Site is owned by 1347921 Ontario Inc. (the Company).

Mr. Harinder Lamba is a director and officer of the Company and, as such, has management and control of the Company and of the Site owned by the Company.

Mr. Paul Stockton is the Site manager and undertakes the on-site operations at the Site on behalf of the Company and receives direction and funds for Site operation from Mr. Harinder Lamba.

Mr. Raza Hussein Jessa is also a director and officer of the Company and, as such, has management and control of the Company and of the Site owned by the Company.

### **2. Summary of Events Leading to the Issuance of a Director's Order**

A history of sewage and drinking water system issues at the Site are well documented in Ministry files. For sewage, the following provides a brief summary of compliance issues at the Site:

- Provincial Officer's Order 6654-5UYPR6, issued on January 14, 2004 to "1347921 Ontario Inc./ Stoney Creek Trailer Park", requiring the Company to take immediate action to address the failure of the three septic fields located at 17 Front Drive, 17 Otter Line and 63/69 Otter Line, and for the Company to take action to determine the extent of the impact to the natural environment caused by the sewage works located at Stoney Creek Trailer Park. These required actions remain incomplete with the possible exception of the sewage works at 17 Front Drive.
- ECA 0606-629L3X which was issued by the Ministry to 1347921 Ontario Inc. on February 6, 2006, approving a new system designed to treat the sewage generated from 63/69 Otter Line, at 39, 29/17 Ash Loop, and 17 Front Street.
- Provincial Officer's Order 0478-7QJJSJG, issued 1347921 Ontario Inc. on May 4, 2009, which required the Company to submit a work plan with an implementation schedule, identifying when the construction of the sewage works as approved by ECA 0606-629L3X will commence, and to identify measures that will be taken in the interim to prevent sewage from the failing tile beds from entering the natural environment and impacting surface water. Confirmation of the completion of the works were to be provided.
- Provincial Officer's Order 0478-7QJJSJG-1 issued 1347921 Ontario Inc. on May 27, 2010 amending Order 0478-7QJJSJG at the Company's request to provide additional time to comply with Order 0478-7QJJSJG. The compliance date was extended from May 31, 2010 to October 31, 2010. Mr. Harinder Lamba agreed to pump the failing septic systems every 45 days during the extension period.
- Provincial Officer's Order 3607-8NUK6L issued to 1347921 Ontario Inc. on November 22,

2011, which revoked and replaced Order 0478-7QJJSJG, issued on May 4, 2009. Order 3607-8NUK6L was issued following the submission of a report titled: On-Site Sewage System Inspection Stoney Creek Trailer Park, Lindsay, Ontario prepared by Cambium Environmental and dated October 28, 2011. Order 3607-8NUK6L required:

- confirmation that a Licensed Installer had been retained to complete the maintenance work required to the sewage works at the Site as identified in the report.
- an action plan detailing repairs to the stormwater drainage works including stormwater catchbasins and ditches to prevent flooding-out of the sanitary sewage works, as recommended in the report.
- confirming completion of repairs and maintenance to the sewage works as recommended in the report, that any approvals necessary for upgrades have been applied for in compliance with the Ontario Water Resources Act, and that the sewage works at the Site are being maintained and operated in a manner to prevent impacts to the natural environment.
- Provincial Officer's Order 3274-9KPJHB, issued to 1347921 Ontario Inc. on June 2, 2014. This order required the submission of an action plan to prevent impacts to the natural environment resulting from the discharge of sewage at 17 Otter Line and 63/69 Otter Line. The action plan was to include confirmation that a certified sewage installer has been retained to block the septic tanks temporarily from discharging to the failing sewage tile beds (temporarily converting the septic tanks to holding tanks), a contingency plan to pump out the septic tanks at 17 Otter Line and 63/69 Otter Line when necessary, to regularly inspect the septic tanks and the lawn areas at 17 Otter Line and 63/69 Otter Line in order to ensure that sewage is not discharging to the surface, and include plans for cleaning the ditches and culverts around Otter Line and Ash Loop so that water can properly drain from the Site. Order 3274-9KPJHB also required the Company to submit an application to amend ECA 0606-629L3X for the purpose of upgrading the sewage disposal systems at 17 Otter Line and 63/69 Otter Line. The application was to be completed by a Qualified Person with experience and expertise in sewage works design.
- I have reviewed the work ordered items in each of the orders issued previously. The majority of the work ordered items were not completed to the Ministry's satisfaction and the issues the orders were intended to address remain unresolved. As the matters remain unresolved, I am of the opinion that additional compliance actions must be undertaken to resolve these issues.
- On April 28, 2017, the Company, as Owner and operator of Stoney Creek Trailer Park in Kawartha Lakes, was convicted of one offence and was fined \$4,000 plus a victim fine surcharge of \$1,000 for failing to comply with a Ministry order by failing to submit an application for an Environmental Compliance Approval (ECA) for the sewage works, contrary to the Ontario Water Resources Act (OWRA). During the file review, it was also noted that on October 25, 2018, the Company was also convicted with a violation under the Safe Drinking Water Act at the Site and sentenced to a fine of \$5,000 plus victim fine surcharge of \$1,250. On June 25, 2019, I was able to confirm that as of that date, the Company still owes \$7990.00 in outstanding fines from those two convictions.
- I first became aware of the Site and visited on August 9, 2017, I visited the Site with Provincial Officer John Crouter. During the visit, I observed sewage break-out from the sewage tile bed that serves 63 and 69 Otter Line. Two pictures of the breakout were obtained. The area of concern is in the front yard of 63 Otter Line. I spoke with Paul Stockton, the Site manager, who indicated that the resident at 63 Otter line is supposed to contact him when the septic tank is full, so he can arrange for a pumpout of the septic tank that serves both 63 and

69 Otter Line. On August 11, 2017, I spoke with Paul Stockton by telephone. He indicated he would contact the septic hauler and have the septic tank pumped.

- On August 11, 2018, I spoke with the director of the Company, Harinder Lamba, by telephone. He indicated to me that an ECA application had been submitted in 2016. Following this telephone call, I determined that an application to amend the ECA for the Site had been submitted November 14, 2016.
- On November 1, 2018, ECA 9505-B5LM66 (which revoked and replaced ECA 0606-629L3X) was issued to 1347921 Ontario Inc. ECA 9505-B5LM66 was issued to approve the establishment and usage of the sewage works that serve 17 Otter Line, 63 and 69 Otter Line and 2 Driftwood Crescent. It is noted that the ECA identifies 2 Driftwood Crescent as 2 Otter Line. This was a carryover from the ECA application. I confirmed with Paul Stockton that 2 Otter Line does not exist, and 2 Driftwood Crescent is located at the intersection of Driftwood Crescent and Otter Line.
- A copy of the ECA was provided to the Company and the consultant who submitted the application by the Ministry's Environmental Assessment & Permissions Branch on November 1, 2018.
- ECA 9505-B5LM66 was issued as a temporary measure to approve replacement of the sewage works at 2 Otter Line, 17 Otter Line and 63 and 69 Otter Line by the Company. Condition 2.1. of the ECA indicates that "This Approval shall expire and become null and void on June 1, 2020. In the ECA, the signing Director lists the reason for Condition 2.1. as "*Condition 2 is included to ensure that the Proposed Works is only temporary and will not become a permanent sewage works unless so approved by the Director.*".
- It is noted that the application submitted by the Company in support of ECA 9505-B5LM66 did not include a full assessment of the sewage works on the property and did not include additional supporting information such as a hydrogeological assessment and surface water assessment. As such, the application was deemed incomplete. While such an application would normally have been returned to the applicant as incomplete, in this specific situation, following discussions between Ministry staff and with input from the consultant who had completed the application, a temporary ECA was issued to allow the replacement of the sewage works at 2 Otter Line, 17 Otter Line and 63 and 69 Otter Line by the Company to address more immediate concerns with those sewage works.
- A Special Condition was added to ECA 9505-B5LM66 to address the temporary nature of the ECA. Condition 9 indicates:

## ***9. SPECIAL CONDITION***

- 1. Six (6) months after the issuance of this Approval, the Owner shall submit, to the District Manager, a report prepared by a Professional Engineer on the assessment of all existing on-site sewage systems located at the site, including but not limited to the following information:*
  - a. a site plan showing the location of all existing sewage Works with outline of each Works components (i.e. septic tank, pump tank, disposal bed, etc.), property boundaries, wells, surface water features, and an outline of all existing/proposed amenities, including any available Permits for existing sewage Works;*
  - b. a description of each of the existing sewage works indicating what facilities they service and their design capacity (i.e. volumes of tanks, size of bed, maximum*



*daily sewage flow, percolation time (T time), depth to high groundwater, etc.);*

*c. a report of any deficiencies/concerns with the existing sewage Works identified during the assessment;*

*d. recommendations for any necessary improvements/replacements for addressing the deficiencies/concerns and an anticipated implementation schedule;*

*e. a survey showing all existing supply wells in and around the property and a hydrogeological report to determine the cumulative impact of the sewage works on these wells and nearby surface water.*

*2. One (1) year after the issuance of this Approval, the Owner shall submit an application for amendment of this Approval to include all existing sewage Works in operation at this site and any proposed improvements to any of the existing Works.*

A summary of the status of compliance with this ECA and this condition in particular is provided at the bottom of this section.

More recently, in response to complaints received by the Ministry, I have visited the Site on two occasions:

- On December 4, 2018, I received a complaint of sewage system issues at the Site from one complainant who contacted the Ministry, the municipality and the local conservation authority. Provincial Officer Brad Jackson (Drinking Water Inspector) also informed me of drinking water issues at the Site he was addressing. I attended the Site on December 12, 2018. I noted a large excavation on the roadway near 63 Otter Line. I was informed this excavation was for the purpose of repairing water supply lines. I spoke with Site manager Paul Stockton while at the Site. He indicated to me that he is having trouble getting septic haulers to come to the Site to empty the septic tanks for the units that need frequent pumpouts such as the tank serving 63 and 69 Otter Line. The area of the tile bed serving 63 and 69 Otter Line was very wet, likely as a result of sewage breakout based on the location of the wetness directly over the septic disposal bed. Paul Stockton was not aware that an amended ECA had been issued to allow for the repair of the failed systems. I provided him with a copy via email on December 10, 2018. I spoke with a number of the residents and asked them to call me directly if there are issues with break-out from the sewage systems. The residents confirmed that regular pumpout of the failed sewage systems had been occurring until recently and that the regular pumpouts were minimizing the break-out issues. I asked Paul Stockton to make the necessary arrangements to have the pumpouts resume.
- On April 8, 2019, I visited the Site in response to complaints about sewage issues. I attended the Site with Environmental Officer Brad Jackson (Drinking Water). We met a number of residents near 63 and 69 Otter Line and discussed their concerns. The residents had concerns with ongoing sewage issues from a number of the sewage works at individual trailer units, in particular the works at 63 and 69 Otter Line. Concerns were also expressed about the security and functioning of the communal water system and the poor condition of the roadways inside the trailer park. We also met with Paul Stockton. There was no obvious outbreak of sewage from the sewage system at 63 and 69 Otter Line during the Site visit. The tile bed area was wet. The general area around the tile bed was flooded and the saturated soil

conditions will prevent the tile bed from functioning properly. Paul Stockton and the concerned residents indicated that pumpouts of septic tank at tank 63 and 69 Otter Line had been occurring with a frequency of about every two weeks but that more recently there had been no pumpouts. I was informed by Paul Stockton and anecdotally by the residents that the septic hauler has not been paid by the Company for the previous pumpouts and has refused to attend the Site to complete further septic tank pumpouts. The area around units 60, 63, 69 and 70 Otter Line was flooded, in particular the roadway. Pictures of the area were taken to support these observations. The roadway was impassible due to mud and water. Additional excavations in the same area as was excavated during the December 4, 2018, Site visit have been started in the roadway for the purpose of repairing or checking the communal water supply lines. In general, the roadways at the Site are in poor condition due to mud and pooling of water. The residents were concerned that emergency service vehicles will not be able to access portions of the Site due to road conditions. In my opinion, a sewage truck will not be able to access the Site due to the poor conditions of the roadway. Paul Stockton indicated he has not been provided with funds from Company to purchase aggregate to repair the roadway. I verbally recommended to Paul Stockton that he email the Company director Harinder Lamba and copy myself and Environmental Officer Brad Jackson to indicate that sewage pumpout is needed, road repairs needed and for actions to be undertaken to address drinking water system concerns identified by Environmental Officer Brad Jackson.

- On April 4, 2019, Paul Stockton emailed the Company director Harinder Lamba. With respect to sewage issues, Paul indicated to Harinder Lamba that the Ministry had requested action on the following issues:
  - The septic tank at 63 and 69 Otter Line and the septic tanks at 2 Driftwood Crescent be pumped immediately. Paul Stockton indicated in the message that "That will require cash because none of the septic people will come in here without being paid cash and not a cheque."
  - The sewage works serving 63 and 69 Otter Line, 17 Otter Line and 2 Driftwood need to be replaced.
  - Road repairs are needed to allow the sewage truck to enter the Site, in particular to reach 63 and 69 Otter Line.
  - To pump water out of the excavations near 63 and 69 Otter Line to aid in the drying process. He noted in the message that he needs funds from the Company to pay for the already rented bobcat as the rental company will not rent the pump to him.

In response to Environmental Officer Brad Jackson's inquiry about the status of actions Paul Stockton had conveyed to him, Harinder Lamba provided the following email reply on April 9, 2019:

*"Hi Brad,*

*As per our telephone conversation, i already sent money to Paul Stockton to change the pressure tank. in a day, i will send more money to fix and road and pump out septic .*

*best egards,*

*Harinder"*

On April 11, 2019, Paul Stockton sent an email to Environmental Officer Brad Jackson and myself with a copy to Harinder Lamba providing an update on the issues identified to Harinder

Lamba for his attention on April 4, 2019 and which are noted above. Paul Stockton's email indicated that all the requested actions listed above remained outstanding except for the rental of the pump and de-watering of the excavations.

Most recently, I received the following complaints and information about the Site:

- On April 29, 2019, I received a call regarding 2 Driftwood Crescent. This is the address of one of the sewage works requiring replacement. Concerns were expressed about issues with breakout of sewage from the tile bed and with sewage backing up into the trailer unit when the septic tank is not regularly pumped out.
- On July 2, 2019 I received an email from a resident indicating another water line leak had occurred adjacent to the failed sewage system at 63 and 69 Otter Line. Later that day I visited the site briefly. I noted the puddle of water on the roadway near the tile bed for 63 and 69 Otter Line. I spoke with the resident who occupies 63 Otter Line. He indicated the septic tank which serves 63 and 69 Otter Line had been pumped out the previous week (approximately June 28, 2019). The area of the tile bed was dry at the ground surface and appeared in good condition. He indicated that regular pumpouts of the septic tank on roughly a monthly basis minimize breakout at the tile bed and the backup of sewage into the trailer. He noted the situation deteriorates most in the spring when the area is subject to seasonal flooding or after heavy rainfall.
- On July 5, 2019, I received a call from the resident at 2 Driftwood Crescent. She indicated that sewage was backing up into the drains in her house. She indicated that she had contacted Paul Stockton about the situation but was concerned he had not taken action to address the situation.
- On July 5, 2019, I contacted Paul Stockton about 2 Driftwood Crescent. He indicated that a septic hauler had been contacted to provide a pumpout at 2 Driftwood Crescent. In response to my questions he confirmed that a pumpout had been completed the previous week for the tank servicing 63 and 69 Otter Line and indicated that 17 Driftwood Crescent had not been pumped out recently. I asked that he ensure 17 Driftwood was pumped to ensure that sewage works did not back-up into house or that breakout did not occur. He verbally agreed to do this.
- Based on my conversation with Paul Stockton, I concluded that pumpouts of 2 Driftwood Crescent and 17 Driftwood Crescent were occurring only as a result of resident's complaints and were not being regularly pumped as a preventative measure.

Status of Compliance with respect to ECA 9505-B5LM66 issued on November 1, 2018:

- During my Site visit on December 10, 2018, Paul Stockton indicated that he had not been told by the Company director Harinder Lamba that the ECA had been approved on November 1, 2018. I provided to him a copy of the ECA by email on December 10, 2018. Later on January 21, 2019, a copy of the "Stoney Creek Trailer Park Waste Water Systems Designs" report which was prepared by the Company's consultant in support of the application for ECA 9505-B5LM66 was provided to Paul Stockton. Paul Stockton indicated he needed these documents so that he could obtain quotes from septic system installers to have the work approved by the ECA completed.
- During my Site visit on April 8, 2019, Paul Stockton again indicated that he would be attempting to obtain quotes from septic system installers. He indicated that no work has been completed by the Company to complete the conditions required by the ECA.
- As of my most recent visit to the site on July 5, 2019, the sewage works serving 63 and 69 Otter Line had not been replaced and it is my understanding that the sewage works at 2 Driftwood Crescent and 17 Driftwood Crescent have not been replaced.
- The Company is in non-compliance with Condition 9.1. of the ECA as of May 1, 2019 as the

assessment report required under that condition has not been received by the Ministry, as of July 17, 2019.

In summary, based on discussions with the residents and Paul Stockton, and emails from Paul Stockton and one of the Company directors, Harinder Lamba, I have determined the following:

- Work to replace the sewage systems approved by the ECA has not been undertaken.
- The sewage works at the Site are not being adequately maintained. The failed sewage system septic tanks are not being pumped out on a regular basis to prevent sewage back-ups or break-out from the tile bed. The failed sewage works remain a threat to human health and the environment through sewage back-ups and break-out of sewage to the ground surface. I believe these all demonstrate non-compliance with the provisions of the OWRA and EPA.
- The Company has also failed to comply with Condition 9.1 of the ECA.

### **3. Provincial Officer's Opinion**

I reasonably believe that the Company and the directors of the Company, Mr. Harinder Lamba and Mr. Raza Hussein Jessa, are contravening or have contravened the provisions, terms or conditions noted below in the Suspected Violation(s)/Offence(s) section. I also reasonably believe that the Company is contravening or has contravened the provisions, terms or conditions of the ECA. The nature and location of such contraventions are described above. I also believe that the requirements specified in the accompanying Director's Order No. SCTP-DO001FA are necessary to address the identified contraventions under the OWRA and EPA.

Further, I reasonably believe that the requirements specified in Director's Order No. SCTP-DO001FA are necessary or advisable to prevent or reduce the risk of any discharge of contaminants such as inadequately treated sewage into the natural environment from the Site, or to prevent, decrease or eliminate an adverse effect that may result from (i) the discharge of a contaminant from the undertaking, or (ii) the presence or discharge of a contaminant in, on or under the property.

#### 4. Offence(s)

Suspected Violation(s)/Offence(s):
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**Act - Regulation -Section,  
Description  
{General Offence}**

1) OWRA - 53 (1),

No person shall use, operate, establish, alter, extend or replace new or existing sewage works except under and in accordance with an environmental compliance approval  
{107 (1)}

2

{107 (1)}

3) OWRA - 107 (3),

Every person that contravenes a term or condition of a licence, permit or approval made under this Act is guilty of an offence.  
{}

4) OWRA - 116 (1) (a) (ii),

Every director or officer of a corporation has a duty to take all reasonable care to prevent the corporation from discharging or causing or permitting the discharge of any material, in contravention of a licence, permit or approval under this Act;  
{116 (2)}

5) EPA - 14 (1),

No person shall discharge a contaminant or cause or permit the discharge of a contaminant into the natural environment, if the discharge causes or may cause an adverse effect.  
{186 (1)}



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Glenn M Rutherford  
Provincial Officer Badge  
Number: 472 Date:  
2019/07/18  
District Office: Peterborough District Office

**Attachment B**

**to Order Number Sctp-DO001FA**

**Environmental Compliance Approval (ECA) No. 9505-B5LM66**

**AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 9505-B5LM66

Issue Date: November 1, 2018

1347921 Ontario Inc.  
21 Eden Avenue  
Markham, Ontario  
L3R 6P9

Site Location: Stoney Creek Trailer Park  
Lot 5 and 6, Concession 5  
City of Kawartha Lakes, 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:*

establishment and usage of sewage Works for the collection, transmission, treatment and subsurface disposal of domestic sewage located at the above mentioned Site Location consisting of the following:

### **Proposed Works**

#### **Sewage System #1**

Installation of a proposed subsurface sewage disposal system to serve one (1) three-bedroom dwelling located at **2 Otter Line**, designed to treat a maximum daily sanitary sewage flow of **1,600 litres per day (L/d)**, consisting of the following:

#### *Septic Tank*

- one (1) proposed two-compartment septic tank, with a minimum capacity of 3,600 litres (L), equipped with a proposed OBC approved outlet effluent filter, collecting sanitary sewage from the above mentioned facility and discharging effluent, via gravity, to the proposed pumping chamber as described below.

#### *Pump chamber*

- one (1) proposed pump chamber with a minimum capacity of 680 L, equipped with one (1) submersible

**AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 9505-B5LM66  
Issue Date: November 1, 2018

1347921 Ontario Inc.  
21 Eden Avenue  
Markham, Ontario  
L3R 6P9

Site Location: Stoney Creek Trailer Park  
Lot 5 and 6, Concession 5  
City of Kawartha Lakes, 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:*

establishment and usage of sewage Works for the collection, transmission, treatment and subsurface disposal of domestic sewage located at the above mentioned Site Location consisting of the following:

**Proposed Works**

**Sewage System #1**

Installation of a proposed subsurface sewage disposal system to serve one (1) three-bedroom dwelling located at **2 Otter Line**, designed to treat a maximum daily sanitary sewage flow of **1,600 litres per day (L/d)**, consisting of the following:

*Septic Tank*

- one (1) proposed two-compartment septic tank, with a minimum capacity of 3,600 litres (L), equipped with a proposed OBC approved outlet effluent filter, collecting sanitary sewage from the above mentioned facility and discharging effluent, via gravity, to the proposed pumping chamber as described below.

*Pump chamber*

- one (1) proposed pump chamber with a minimum capacity of 680 L, equipped with one (1) submersible



effluent pump rated at 45.33 litres per minute (L/min) under Total Dynamic Head (TDH) of approximately 7 metres (m), complete with controls and high level alarm system, discharging effluent via a 75 millimetre (mm) diameter forcemain to the subsurface sewage disposal bed as described below.

#### *Raised filter bed*

- a proposed fully raised filter bed consisting of:

22 square meters (m<sup>2</sup>) raised filter bed, having a total contact area of 95 m<sup>2</sup>, consisting of three (3) runs of 3.3 m long 75 mm diameter perforated distribution pipes, installed in a continuous 300 mm deep layer of clear stone over a minimum of 250 mm deep surface filter medium meeting grading requirements as per the "Code & Guide for Sewage Systems" under the Ontario Building Code complete with 425 m<sup>2</sup> of loading area constructed in imported soil with a percolation rate of T = 10 minutes per centimetre (min/cm) extending at least 15 m beyond the outer distribution pipes in any direction in which the effluent from the filter bed will move horizontally.

#### **Sewage System #2**

Installation of a proposed subsurface sewage disposal system to serve one (1) three-bedroom dwelling located at **17 Otter Line**, designed to treat a maximum daily sanitary sewage flow of **1,600 L/d**, consisting of the following:

#### *Septic Tank*

- one (1) proposed two-compartment septic tank, with a minimum capacity of 3,600 L, equipped with a proposed OBC approved outlet effluent filter, collecting sanitary sewage from the above mentioned facility and discharging effluent, via gravity, to the proposed pumping chamber as described below.

#### *Pump chamber*

- one (1) proposed pump chamber with a minimum capacity of 680 L, equipped with one (1) submersible effluent pump rated at 45.33 L/min under TDH of approximately 7 m, complete with controls and high level alarm system, discharging effluent via a 75 mm diameter forcemain to the subsurface sewage disposal bed as described below.

#### *Raised filter bed*

- a proposed fully raised filter bed consisting of:

22 m<sup>2</sup> raised filter bed, having a total contact area of 95 m<sup>2</sup>, consisting of three (3) runs of 3.3 m long 75 mm diameter perforated distribution pipes, installed in a continuous 300 mm deep layer of clear stone over a minimum of 250 mm deep surface filter medium meeting grading requirements as per the "Code & Guide for Sewage Systems" under the Ontario Building Code complete with 405 m<sup>2</sup> of loading area constructed in imported soil with a percolation rate of T = 10 min/cm extending at least 15 m beyond the outer distribution pipes in any direction in which the effluent from the filter bed will move horizontally.

### **Sewage System #3**

Installation of a proposed subsurface sewage disposal system to serve one (1) two-bedroom dwelling located at **63 Otter Line** and one (1) two-bedroom dwelling located at **69 Otter Line**, designed to treat combined maximum daily sanitary sewage flow of **2,200 L/d**, consisting of the following:

#### *Septic Tank*

- one (1) proposed two-compartment septic tank, with a minimum capacity of 6,500 L, equipped with a proposed OBC approved outlet effluent filter, collecting sanitary sewage from the above mentioned facilities and discharging effluent, via gravity, to the proposed pumping chamber as described below.

#### *Pump chamber*

- one (1) proposed pump chamber with a minimum capacity of 680 L, equipped with one (1) submersible effluent pump rated at 45.33 L/min under TDH of approximately 7 m, complete with controls and high level alarm system, discharging via a 75 mm diameter forcemain to the subsurface sewage disposal bed as described below.

#### *Raised filter bed*

- one (1) new fully raised filter bed consisting of:  
  
30 m<sup>2</sup> raised filter bed, having a total contact area of 130 m<sup>2</sup>, consisting of three (3) runs of 4.6 m long 75 mm diameter perforated distribution pipes, installed in a continuous 300 mm deep layer of clear stone over a minimum of 250 mm deep surface filter medium meeting grading requirements as per the "Code & Guide for Sewage Systems" under the Ontario Building Code complete with 550 m<sup>2</sup> loading area constructed in imported soil with a percolation rate of T = 10 min/cm extending at least 15 m beyond the outer distribution pipes in any direction in which the effluent from the filter bed will move horizontally.

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

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. "CBOD<sub>5</sub>" means five day carbonaceous (nitrification inhibited) biochemical oxygen demand measured in an unfiltered sample;
3. "Director" means a person appointed by the Minister pursuant to Section 5 of the EPA for the purposes of Part II.I of the EPA;
4. "District Manager" means the District Manager of the appropriate local district office of the Ministry where the Works is geographically located;
5. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19, as amended;
6. "Licensed Installer" means a person who is registered under the Ontario Building Code to construct, install, repair, service, clean or empty on-site sewage systems.
7. "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;
8. "OBC" means the Ontario Building Code;
9. "Owner" means 1347921 Ontario Inc., and its successors and assignees;
10. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;
11. "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* ;
12. "Proposed Works" means the sewage works described in the Owner's application, this Approval, to the extent approved by this Approval;
13. "Supporting Documentation" means the documents listed in Schedule A of this Approval;
14. "Works" means the sewage works described in the Owner's application and this Approval.

*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 Owner 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.
2. Except as otherwise provided by these conditions, the Owner 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.

3. 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.
4. 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.
5. 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.

## **2. EXPIRY OF APPROVAL**

1. This Approval shall expire, and become null and void on **June 1, 2020**.

## **3. CHANGE OF OWNER**

1. The Owner 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 Owner;
  - b. change of address of the Owner;
  - c. change of partners where the 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;
  - d. change of name of the corporation where the 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.

#### **4. CONSTRUCTION**

1. The Owner shall ensure that the construction of the Works is supervised by a Licensed Installer or a Professional Engineer.
2. The Owner shall ensure that the Works are constructed such that minimum horizontal clearance distances as specified in the OBC are satisfied.
3. The Owner shall ensure that an imported soil that is required for construction of any subsurface disposal bed as per this Approval is tested and verified by the Professional Engineer or Licensed Installer for the percolation time (T) prior to delivering to the site location and the written records are kept at the site.
4. Upon construction of the Works, the Owner 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.
5. Upon construction of the Works, the Owner 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.
6. The Owner shall properly abandon any portion of unused existing sewage Works, as directed below, and upon completion of decommissioning report in writing to the District Manager.
  - a. any sewage pipes leading from building structures to unused sewage Works components shall be disconnected and capped;
  - b. any unused septic tanks, holding tanks and pump chambers shall be completely emptied of its content by a licensed hauler and either be removed, crushed and backfilled, or be filled with granular material;
  - c. if the area of the existing leaching bed is going to be used for the purposes of construction of a replacement bed or other structure, all distribution pipes and surrounding material must be removed by a licensed hauler and disposed off site at an approved waste disposal site; otherwise the existing leaching bed may be abandoned in place after disconnecting, if there are no other plans to use the area for other purposes;

#### **5. MONITORING AND RECORDING**

The Owner shall, upon commencement of operation of the Works, carry out the following monitoring program:

1. All samples and measurements taken for the purposes of this Approval are to be taken at a time and in a location characteristic of the quality and quantity of the effluent stream over the time period

being monitored.

2. Samples shall be collected at the sampling point(s), at the sampling frequencies and using the sample type specified for each parameter listed in the Effluent Monitoring Table included in **Schedule B**.
3. Samples shall be collected at the sampling point(s), at the sampling frequencies and using the sample type specified for each parameter listed in the Groundwater Monitoring Table included in **Schedule B**.
4. Samples shall be collected at the sampling point(s), at the sampling frequencies and using the sample type specified for each parameter listed in the Surface Water Monitoring Table included in **Schedule B**.
5. Prior to the startup of the Works, background groundwater quality must be established by collecting groundwater samples and having them analyzed for the parameters listed in the Groundwater Monitoring Table included in **Schedule B**.
6. The Owner shall ensure that flow of effluent discharged into the subsurface sewage systems does not exceed 5,400 L/d.
7. The methods and protocols for sampling, analysis and recording shall conform, in order of precedence, to the methods and protocols specified in the following:
  - a. the Ministry's Procedure F-10-1, "Procedures for Sampling and Analysis Requirements for Municipal and Private Sewage Treatment Works (Liquid Waste Streams Only), as amended from time to time by more recently published editions;
  - b. the publication "Standard Methods for the Examination of Water and Wastewater" (21st edition), as amended from time to time by more recently published editions.
8. The Owner 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 monitoring activities required by this Approval.

## **6. EFFLUENT OBJECTIVES**

1. The Owner shall use best efforts to design, construct and operate the Works with the objective that the concentrations of the materials named as effluent parameters in the Effluent Objectives Table listed in **Schedule B** are not exceeded in the effluent being discharged to the subsurface disposal system.
2. For the purposes of subsection (1):
  - a. The concentrations of CBOD5 and Total Suspended Solids named in Column 1 of Effluent Objectives Table listed in Schedule B, as measured at each monitoring event, should be compared to the corresponding concentration set out in Column 2 of Effluent Objectives Table

listed in **Schedule B**.

## **7. OPERATIONS AND MAINTENANCE**

1. The Owner shall ensure that at all times, the Works and related equipment and appurtenances which are installed or used to achieve compliance with this Approval are properly operated and maintained.
2. The Owner shall ensure that the septic tank is pumped out every 3-5 years or when the tank is 1/3 full of solids and the effluent filter is cleaned out at minimum once a year (or more often if required).
3. The Owner shall ensure that grass-cutting is maintained regularly over the subsurface disposal bed, and that adequate steps are taken to ensure that the area of the underground works is protected from vehicle traffic.
4. The Owner shall ensure that in the event a break-out is observed from the subsurface disposal bed, the sewage discharge to the bed is discontinued and the incident immediately reported verbally to the District Manager, followed by a written report within seven (7) days.
5. The Owner shall ensure that during the time remedial actions are taking place the sewage generated at the site shall not be allowed to discharge to a surface water body or to the environment, and safely collected and disposed of through a licensed waste hauler to an approved waste disposal site.
6. The Owner shall maintain a logbook to record the results of Operation and Maintenance activities specified in the above sub-clauses, and shall keep the logbook at the site and make it available for inspection by the Ministry staff.
7. The Owner 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.

## **8. REPORTING**

1. One week prior to the start up of the operation of the Works, the Owner shall notify the District Manager (in writing) of the pending start up date.
2. In addition to the obligations under Part X of the EPA, the Owner shall, within ten (10) working days of the occurrence of any reportable spill as defined in Ontario Regulation 675/98, loss of any product, by-product, intermediate product, oil, solvent, waste material or any other polluting substance into the environment, submit a full written report of the occurrence to the District Manager describing the cause and discovery of the spill or loss, clean-up and recovery measures taken, preventative measures to be taken and schedule of implementation.

3. The Owner shall, upon request, make all manuals, plans, records, data, procedures and supporting documentation available to Ministry staff.
4. The Owner shall prepare and submit a performance report, on an annual basis, within ninety (90) days following the end of each operational season to the District Manager. The first such report shall cover the first annual period following the commencement of operation of the Works and subsequent reports shall be submitted to cover successive annual periods following thereafter. The reports shall contain, but shall not be limited to, the following information:
  - a. a summary and description of efforts made and results achieved in meeting the Effluent Objectives of (Condition 6);
  - b. a summary and interpretation of groundwater monitoring data;
  - c. a summary and interpretation of surface water monitoring data;
  - d. a review and assessment of performance of sewage works, including septic tanks, pump chambers and disposal beds;
  - e. a description of any operating problems encountered and corrective actions taken at all sewage Works located at the property;
  - f. a record of all maintenance carried out on any major structure, equipment, apparatus, mechanism or thing forming part of all Works located at the property' including but not limited to: records of septic tank effluent filters cleaning, records of septic tank pump-outs, records of visual inspections of all disposal systems;
  - g. a summary of any effluent quality assurance or control measures undertaken in the reporting period;
  - h. a summary and interpretation of all daily flow data and results achieved in not exceeding the maximum daily sewage flow discharged into each one of the subsurface disposal system;
  - i. a summary of any complaints received during the reporting period and any steps taken to address the complaints;
  - j. a summary of all spill or abnormal discharge events; and
  - k. any other information the District Manager requires from time to time.

## **9. SPECIAL CONDITION**

1. Six (6) months after the issuance of this Approval, the Owner shall submit, to the District Manager, a report prepared by a Professional Engineer on the assessment of all existing on-site sewage systems located at the site, including but not limited to the following



information:

- a. a site plan showing the location of all existing sewage Works with outline of each Works components (i.e. septic tank, pump tank, disposal bed, etc.), property boundaries, wells, surface water features, and an outline of all existing/proposed amenities, including any available Permits for existing sewage Works;
  - b. a description of each of the existing sewage works indicating what facilities they service and their design capacity (i.e. volumes of tanks, size of bed, maximum daily sewage flow, percolation time (T time), depth to high groundwater, etc.);
  - c. a report of any deficiencies/concerns with the existing sewage Works identified during the assessment;
  - d. recommendations for any necessary improvements/replacements for addressing the deficiencies/concerns and an anticipated implementation schedule;
  - e. a survey showing all existing supply wells in and around the property and a hydrogeological report to determine the cumulative impact of the sewage works on these wells and nearby surface water.
2. One (1) year after the issuance of this Approval, the Owner shall submit an application for amendment of this Approval to include all existing sewage Works in operation at this site and any proposed improvements to any of the existing Works.

*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 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 the Proposed Works is only temporary and will not become a permanent sewage works unless so approved by the Director.
3. Condition 3 is included to ensure that the Ministry records are kept accurate and current with respect to the approved works and to ensure that subsequent owners of 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 enable the Owner to evaluate and demonstrate the performance of the Works, on a continual basis, so that the Works are properly operated and maintained at a level which is consistent with the design objectives specified in the Approval and that the Works does not cause any impairment to the receiving watercourse.
6. Condition 6 is imposed to establish non-enforceable effluent quality objectives which the Owner is obligated to use best efforts to strive towards on an ongoing basis. These objectives are to be used as a mechanism to trigger corrective action proactively and voluntarily before environmental impairment occurs.
7. Condition 7 is included to require that the Works be properly operated, maintained, and equipped such that the environment is protected.
8. Condition 8 is included to provide a performance record for future references, 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 Owner in resolving any problems in a timely manner.
9. Condition 9 is included to ensure that the existing sewage Works not included in this Approval are assessed by a qualified person, and if the assessment is satisfactory by the Ministry, included in an approval.

## **Schedule A**

1. Application for Environmental Compliance Approval submitted by Harinder Lamba, Owner of Stoney Creek Trailer Park received on November 14, 2016 for the proposed subsurface disposal Works located at 2 Otter Line, 17 Otter Line and 63 & 69 Otter Line, including design report, final plans and specifications.

## Schedule B

### Effluent Monitoring Table

<b>Sampling Location</b>	Pump Chambers
<b>Frequency</b>	Once every three (3) months
<b>Sample Type</b>	Grab
<b>Parameters</b>	CBOD <sub>5</sub> Total Suspended Solids Total Phosphorus Total Ammonia Nitrogen Nitrate Nitrogen Nitrite Nitrogen

### Groundwater Monitoring Table

<b>Sampling Location</b>	At down-gradient monitoring well (at a location satisfactory to the District Manager)
<b>Frequency</b>	Once every three (3) months
<b>Sample Type</b>	Grab
<b>Parameters</b>	Nitrate - Nitrogen Nitrite - Nitrogen Total Phosphorus

### Surface water Monitoring Table

<b>Sampling Location</b>	Within Stoney Creek (at a location satisfactory to the District Manager)
<b>Frequency</b>	Twice a year (once in spring and once in fall)
<b>Sample Type</b>	Grab
<b>Parameters</b>	Total Suspended Solids Total Phosphorus Nitrate Nitrogen Nitrite Nitrogen

## Effluent Objectives Table

<b>Effluent Parameter</b>	<b>Concentration Objective</b> (milligrams per litre unless otherwise indicated)
CBOD5	30
Total Suspended Solids	30

**Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 0606-629L3X issued on February 6, 2006**

*In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me and the Environmental Review Tribunal within 15 days after receipt of this Notice, require a hearing by the Tribunal. 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.

*Pursuant to subsection 139(3) of the Environmental Protection Act, a hearing may not be required with respect to any terms and conditions in this environmental compliance approval, if the terms and conditions are substantially the same as those contained in an approval that is amended or revoked by this environmental compliance approval.*

*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 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](http://www.ert.gov.on.ca)**

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

DATED AT TORONTO this 1st day of November, 2018



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Fariha Pannu, P.Eng.

Director

appointed for the purposes of Part II.1 of the  
*Environmental Protection Act*

SO/

c: District Manager, MECP Peterborough District Office  
Kevin Warner, Cambium Inc.

**Attachment C**

**to Order Number SCTP-DO001FA**

**Certificate of Requirement for Registration on Property Title**