

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 1406-BEVLSF
Issue Date: August 28, 2019

OMNI Health Care Ltd.
2020 Fisher Dr, No. 1
Peterborough, Ontario
K9J 6X6

Site Location: 166 Pleasant Drive
Greater Napanee Town, County of Lennox and Addington
K0K 2Z0

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:

installation of on-site sewage works for the treatment and disposal of sanitary wastewater at a maximum daily flow of 42,000 L/d generated from an existing long-term care facility consisting of 66 beds at the above location, consisting of the following:

- one (1) existing 38,590 L two-compartment concrete septic tank (Septic Tank #1), collecting raw sewage from the long-term care facility, discharging the effluent by gravity to a second septic tank;
- one (1) new 45,500 L one-compartment concrete septic tank (Septic Tank #2), complete with one (1) effluent filter (OBC approved) installed on the outlet pipe of the septic tank, discharging the effluent by gravity to a balancing tank/pump chamber;
- one (1) new 22,750 L concrete balancing tank/pump chamber, equipped with a high-level alarm, four (4) effluent pumps each capable of delivering 1,500 L over 5 minutes for 32 cycles per day to deliver a maximum of 48,000 L over a 24-hour period, a vent pipe, watertight lockable access covers, a high-level float-controlled override, low-level float-controlled shutoff, visible pump failure indicators, discharging via four (4) 32 mm diameter forcemains (each with a dedicated pump) to the absorption trench leaching bed;
- one (1) raised absorption trench leaching bed consisting four (4) lobes, with each lobe having fourteen (14) runs of 40.0 m long absorption trenches, for a total length of 2,240 m (560 m per lobe) of 76 mm diameter perforated distribution pipe, spaced 1.6 m apart from centre to centre, installed in clear stone trenches so that the bottom of the absorption trenches is at least 900 mm at all points above the high groundwater table or bed rock, constructed within imported sand fill having an estimated percolation time of 8-10 min/cm;

All in accordance with the supporting documents set out in Schedule "A" attached to this Approval.

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

"Approval" means this entire document and any schedules attached to it, and the application;

"Director" means a person appointed by the Minister pursuant to section 5 of the EPA for the purposes of Part II.1 of the EPA;

"District Manager" means the District Manager of the Kingston District office of the Ministry;

"EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19, as amended;

"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;

"Owner" means OMNI Health Care Ltd. and their successors and assignees;

"OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;

"Rated Capacity" means the maximum daily flow for which the Works are approved to handle;

"Works" means the sewage works described in the Owner's application, and this Approval, and includes Proposed Works and Previous Works.

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

3. CHANGE OF 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 Information 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 as defined in the *Ontario Building Code* or a Professional Engineer, as defined in the *Professional Engineers Act*.

(2) 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 and staff of the local municipality.

5. MONITORING AND RECORDING

The Owner shall, upon issuance of this Approval, 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) A groundwater monitoring program shall be conducted as described in Table 1, and samples shall be collected at the frequency specified, by means of the specified sample type and analyzed for each parameter listed and all results recorded:

Table 1 - Groundwater Monitoring (Samples to be collected from the six monitoring wells)	
Frequency	three (3) times per year (Spring, Summer, Fall)
Sample Type	Grab
Parameters	Nitrate, Nitrite, Ammonia, Total Phosphorus, Alkalinity, Conductivity, Chloride, Water Level, Temperature and pH

(3) 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 Ministry's publication "Protocol for the Sampling and Analysis of Industrial/Municipal Wastewater" (January 1999), ISBN 0-7778-1880-9, as amended from time to time by more recently published editions;

(c) the publication "Standard Methods for the Examination of Water and Wastewater" (21st edition), as amended from time to time by more recently published editions.

(d) for any parameters not mentioned in the documents referenced in (a) and (b), the written approval of the District Manager shall be obtained prior to sampling.

(4) Prior to the startup of the Works, background groundwater quality must be established by conducting three (3) rounds of groundwater sampling from the monitoring wells and having them analyzed for the parameters outlined in Table 1.

(5) The Owner shall measure the daily water consumption and estimate/record the daily volume of effluent being discharged to the sewage treatment systems.

(6) 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. OPERATIONS AND MAINTENANCE

(1) The Owner shall prepare an Operations Manual within six (6) months of the start up of the Works, that includes, but is not necessarily limited to, the following information:

(a) operating procedures for routine operation of the Works;

(b) procedures for the inspection and calibration of monitoring equipment;

(c) inspection programs, including frequency of inspection, for the Works and the methods or tests employed to detect when maintenance is necessary.

(d) repair and maintenance programs, including the frequency of repair and maintenance for the sewage Works;

(e) contingency plans and procedures for dealing with equipment breakdowns, potential spills and any other abnormal situations, including notification of the District Manager; and

(f) complaint procedures for receiving and responding to public complaints.

(2) The Owner shall maintain the Operations Manual current and retain a copy at the location of the Works for the operational life of the Works. Upon request, the Owner shall make the manual available to Ministry staff.

(3) The Owner shall employ for the overall operation of the Works a person who possesses the level of training and experience sufficient to allow safe and environmentally sound operation of the Works.

(4) The Owner shall exercise due diligence in ensuring that, at all times, the Works and the related equipment and appurtenances used to achieve compliance with this Approval, are properly operated and maintained.

(5) The Owner shall maintain and service the Works in such a manner that leaks and spills are prevented.

(6) The Owner shall test the proposed effluent dosing pumps installed upstream of the leaching bed to verify capacity and pump(s) running time as per this Approval.

(7) The Owner shall ensure that septic tanks are inspected at a minimum frequency of once every year and pumped out if necessary, with a minimum pump-out frequency of at least once per 3-5 year period (when sludge accumulation reaches one-third of the effective volume).

(8) The Owner shall ensure that the effluent filters are cleaned out at a minimum frequency of once a year or more often if recommended by the manufacturer.

(9) The Owner shall ensure that the drainage operations in the subsurface disposal bed on the property

are observed on a monthly basis for breakouts and results recorded in a log book.

(10) The Owner shall ensure that in the event a breakout is observed from the subsurface disposal bed, the discharge to the bed is immediately discontinued and the incident immediately reported verbally to the District Manager, followed by a written report within one (1) week. The Owner shall also ensure that during the time remedial actions are taking place the discharge from the Works is collected and disposed off-site through a licensed waste hauler to an approved waste disposal site.

(11) The Owner shall ensure that a Spill Contingency Plan is in place at this site. The plan must contain, as a minimum the following: spill clean-up material (i.e.- absorbents, shovels, gloves, etc.), as well as a notification procedure to follow in the event of a spill;

(12) The Owner shall retain a Qualified Person (Licensed Installer or Professional Engineer) to conduct an inspection of the Works every five (5) year after issuance of this Approval, and prepare an Inspection Report that shall provide at a minimum, the following information:

(a) Details about general operational condition of the Works.

(b) Assessment of potential indications of failure of the Works, including but not limited to offensive odours, ponding on disposal beds or near underground tanks, sewage back-ups, etc.

(13) The Owner shall maintain the Inspection Report referenced condition 6 (12) current and retain a copy at the Site for the operational life of the Works. Upon request, the Owner shall make the Inspection Reports available to Ministry staff.

(14) The Owner shall submit the Inspection Report in conditions 6 (12) to the District Manager within ten (10) business days of receiving the Inspection Report, if the report indicates that:

(a) the Works are not in good working condition;

(b) there is any evidence that the Works is impacting or has impacted the environment or human health;

(c) significant repairs or modifications are required to maintain the Works in good working condition;

(d) monitoring is required to determine if the Works is in good working condition or the impact on the environment; or

(e) modifications to the Works are identified that trigger an approval amendment.

(15) 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. 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 Environmental Protection Act, the Owner shall, within 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 upon request, a performance report, on an annual basis, within ninety (90) days following the end of the period being reported upon. 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 interpretation of all groundwater monitoring data;
 - (b) a tabulation of the daily volumes of effluent disposed through the subsurface disposal system during the reporting period;
 - (c) a summary of all maintenance carried out on any major structure, equipment, apparatus, mechanism or thing forming part of the Works; and
 - (d) a description of any operating problems encountered and corrective actions taken.
 - (e) a summary of any Notifications and Contingency Plan undertaken during the reporting period and a discussion regarding their adequacy;
 - (f) a summary and interpretation of all flow data and results achieved in meeting the maximum daily flows for each sewage Works as approved under this Approval.
 - (g) a summary of any complaints received during the reporting period and any steps taken to address the complaints;
 - (h) a summary of all spill or abnormal discharge events; and
 - (i) any other information the District Manager requires from time to time.

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, when the Works are constructed, the Works will meet the standards that apply at the time of construction to ensure the ongoing protection of the environment.
3. Condition 3 is included to ensure that the Ministry records are kept accurate and current with respect to the 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 and that the Works does not cause any impairment to the receiving watercourse.
6. Condition 6 is included to require that the Works be properly operated, maintained, and equipped such that the environment is protected. As well, the inclusion of an operations manual and a complete set of "as constructed" drawings governing all significant areas of operation, maintenance and repair is prepared, implemented and kept up-to-date by the owner and made available to the Ministry. Such information is an integral part of the operation of the Works. Its compilation and use should assist the Owner in staff training, in proper plant operation and in identifying and planning for contingencies during possible abnormal conditions. The manual will also act as a benchmark for Ministry staff when reviewing the Owner's operation of the work.
7. Condition 7 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.

SCHEDULE "A"

1. Environmental Compliance Approval Application for Municipal and Private Sewage Works, submitted by The Greer Galloway Group Inc., dated January 16, 2019 and received at the Ministry on March 28, 2019.
2. Village Green Long-Term Care Facility Environmental Compliance Assessment along with drawings, dated March 2019, and prepared by The Greer Galloway Group Inc.
3. Revised Village Green Long-Term Care Facility Environmental Compliance Assessment along with revised drawings, dated August 1, 2019, and prepared by The Greer Galloway Group Inc.

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

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

The Notice should also include:

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

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

This Notice must be served upon:

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

AND

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

AND

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

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

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

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

DATED AT TORONTO this 28th day of August, 2019



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

YZ/

c: District Manager, MECP Kingston District Office
charles Mitz, The Greer Galloway Group