

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

## **ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 6295-B3NJFB Issue Date: August 22, 2019

Domtar Inc.

395 De Maisonneuve Boulevard West

Montréal, Quebec

H3A 1L6

Site Location: Seventh Street West

Lots 13 and 14, Concession 1

City of Cornwall, United Counties of Stormont, Dundas

and Glengarry

K6J 1H6

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

a storm water management system establishment, to service the a Domtar Mill Residue (Big Ben) Landfill (Landfill) upon final closure of the Landfill, which had accepted former non-hazardous industrial solid waste generated at Domtar Pulp and Paper Mill (Mill) in Cornwall prior to the termination of Mill operation, and has been accepting solid waste from the demolition of the Mill and Domtar properties as well as accepting non-hazardous contaminated soils from the Cumberland Street properties in Cornwall, at the above location in the City of Cornwall, consisting of the following:

# Stormwater Management System

designed to prevent leachate seepage from entering surface runoff and to collect surface runoff from a total 15.69 ha catchment area within the Landfill property, to attenuate post-development peak flows to pre-development conditions for all storm events up to 1:100 year design storm, to provide storm water quantity and quality control, and to discharge to an existing municipal drainage ditch upon completion of final closure of the landfill waste mound, including the following:

- installation of low permeability geocomposite DRAINTUBE<sup>TM</sup> drainage system as the final capping in the active areas of the Landfill up to the existing tree lines of the waste mound to collect runoff and to minimize infiltration volume:
- installation of multiple 150 mm diameter Interceptor Drains along the existing tree lines of the waste mound to intercept the surface runoff from the geocomposite DRAINTUBE<sup>™</sup> drainage system and discharge to East and West Storm Water Management Systems described below;

- one (1) East Storm Water Management System, located along the property boundary to east and south sides of the waste mound, designed to provide water quantity and quality control as well as peak flow attenuation for the surface runoff from the east and south portions of the waste mound as well as the south-western access road, consisting of the following;
  - a South Interceptor Swale, grassed, traversing the south and south-east toes of the mound, lined with impermeable liner at bottom and side slopes, with a total length approximately 305 m, 1.0 m depth, and 3H:1V side slopes, complete with 1.0 m wide bottom sloped at 1%, to collect the south slope sheet flow, and discharge to an East Storm Water Management Facility via two (2) culverts arranged in parallel, each culverts in 600 mm diameter and 8.0 m long;
  - an East Storm Water Management Facility, located to the east side of the waste mound, consisting of,
    - two (2) dry ditches (East Storm Water Ditches No.1 and No.2) with a total length of approximately 395 m, hydraulically connected in series via two (2) culverts arranged in parallel (each culvert is flat sloped and in 600 mm diameter and 8.0 m long). Each dry ditch has narrow 3.5 m wide flat bottom, and internal side slopes of 3H:1V. Both ditches are designed at same elevation, have no longitudinal slope, with a total depth of 1.10 m (approximately 280 mm freeboard above the 100-year storm water design level), to be grassed and lined with impermeable liner at bottom and side slopes (geosynthetic clay liner or geosynthetic HDPE liner, or approved equivalent);
    - an East Control Structure No.1, constructed as a standard precast ditch inlet sump, located at the north end (discharge end) of the second dry ditch, complete with a grate installed at 100-year storm water design level, and two (2) control orifices installed vertically on the exterior wall at the sump inlet (the round lower orifice to be 75 mm diameter, the rectangular higher orifice to be 700 mm tall by 400 mm wide), sized to provide 48-hour extended detention of storm water as well as to control discharge peaks to pre-development condition, prior to discharging to an East Control Structure No.2 via a 450 mm diameter sewer; and
    - an East Control Structure No.2, constructed as a precast sump outfitted with a backflow preventer (a flap valve or similar) at the inlet, complete with rodent grate and rip-rap, designed to free discharge to the existing municipal drainage ditch via a 450 mm diameter outlet pipe.
- a West Storm Water Management System, located along the property boundary to the west side of the
  waste mound, designed to provide water quantity and quality control as well as peak flow attenuation
  for the surface runoff from the west slope of the waste mound including the existing 30-m wide final
  expanded area, and nearby access road, consisting of,
  - three (3) dry cells (West Storm Water Cell No.3, West Storm Water Cell No.2, West Storm Water Cell No.1) configured in series, increasing in elevation from north to south and with a total length of approximately 691 m. Each cell to be grassed and lined with impermeable liner (geosynthetic clay liner or geosynthetic HDPE liner, or approved equivalent) at bottom and side slopes, with a depth of approximately 1.3 m and a 2.5 m wide flat bottom, complete with internal side slopes of 3H:1V, and with no longitudinal slope.
  - three (3) West Control Structures No.1, No.2 and No.3 to hydraulically connect the three (3) West Storm Water Cells No.1, No.2 and No.3. Each west control structure is a precast ditch inlet sump, complete with a grate installed at 100-year storm water design level, two (2) round control orifices

vertically installed on the exterior wall of the sump inlet (the lower orifice to be 75 mm diameter, the higher orifice to be 150 mm diameter, 280 mm diameter and 350 mm diameter for West Storm Water Cells No. 1, 2, and 3 respectively) and sized to provide 48-hour extended detention of stormwater as well as control discharge peaks to the pre-development condition, and one (1) 450 mm diameter outlet pipe. The last 450 mm diameter outlet pipe free discharges to the existing municipal drainage ditch, complete with rodent grate and rip-rap at the outlet and with no backflow preventer warranted at this location.

# Decommissioning and Removal

 upon completion of final closure of landfill cells, decommissioning and removal of existing perimeter storm water ditches, and disconnection of these existing connections from the leachate collection headers and the municipal sanitary sewers.

including erosion/sedimentation control measures during construction, and all other mechanical system, electrical system, instrumentation and control system, piping, and appurtenances essential for the proper, safe and reliable operation of the Works in accordance with this Approval, in the context of process performance and general principles of wastewater engineering only;

all in accordance with supporting documents listed in Schedule A.

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

- 1. "Approval" means this entire document and any schedules attached to it, and the application;
- 2. "Director" means a person appointed by the Minister pursuant to section 5 of the EPA for the purposes of Part II.1 of the EPA;
- 3. "District Manager" means the District Manager of the Ottawa District Office of the Ministry;
- 4. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19, as amended;
- 5. "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;
- 6. "Owner" means Domtar Inc. and its successors and assignees;
- 7. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;
- 8. "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*;
- 9. "Substantial Completion" has the same meaning as "substantial performance" in the *Construction Lien Act*;
- 10. "Supporting Documentation" means the documents listed in **Schedule A** of this Approval; and

11. "Works" means the approved sewage 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.
- (6) The issuance of, and compliance with the conditions of, this Approval **does not**:
  - (a) relieve any person of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement, including, but not limited to, the obligation to obtain approval from the local conservation authority necessary to construct or operate the sewage Works; or
  - (b) limit in any way the authority of the Ministry to require certain steps be taken to require the Owner to furnish any further information related to compliance with this Approval.

### 2. EXPIRY OF APPROVAL

All Works in this Approval shall be constructed and installed and must commence operation within five (5) years of issuance of this Approval, after which time the Approval ceases to apply in respect of any portions of the Works not in operation. In the event that the construction, installation and/or operation of any portion of the Proposed Works is anticipated to be delayed beyond the time period stipulated, the Owner shall submit to the Director an application to amend the Approval to extend this time period, at least six (6) months prior to the end of the period. The amendment application shall include the

reason(s) for the delay and whether there is any design change(s).

## 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 address of Owner or operating authority;
  - (b) change of Owner or operating authority or both, including address of new Owner or new operating authority, or both;
  - (c) change of partners where the Owner or operating authority 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 or operating authority 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.
- (3) The Owner shall ensure that all communications made pursuant to this condition refer to the number at the top of this Approval.

### 4. COMPLETION OF WORKS

- (1) The Owner shall ensure that the design and construction of the Works is supervised by a Professional Engineer.
- (2) Upon the Substantial Completion of the Works, the Owner shall prepare a statement, certified by a Professional Engineer, that the Works are constructed in accordance with this Approval, and shall make the written statement to notify the District Manager.
- (3) Within six (6) months of the Substantial Completion of the Works, a set of as-built drawings showing the Works "as constructed" shall be prepared or updated. These drawings shall be kept up to date through revisions undertaken from time to time and a copy shall be retained at the Works or the Owner's operation headquarter for the operational life of the Works.

# 5. 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 below as effluent parameters are not exceeded in the effluent being discharged to the subsurface disposal system.

| Table 1 - Effluent Objectives  |                     |  |
|--|---------------------|--|
| [at SW9 for West Storm Water Management System*; and at SW8 for East Storm Water Management System*] |                     |  |
| Effluent Parameter   | Concentration       |  |
| Total Suspended Solids   | 10 mg/L             |  |
| рН   | 6.5 ~ 8.5 inclusive |  |

<sup>\*</sup> refer to Figure No. 2 Site Plan enclosed in the report, titled "ECA Application ISW Domtar Mill Residue Landfill (Big Ben), Cornwall, Ontario", dated December 18, 2017, prepared by BluMetric Environmental Inc., for the exact locations of SW9, and SW8.

## 6. EFFLUENT - VISUAL OBSERVATIONS

Notwithstanding any other condition in this Approval, the Owner shall ensure that the effluent from the Works is essentially free of floating and seattleable solids and does not contain oil or any other substances in amounts sufficient to create a visible film, sheen or foam on the receiving waters.

## 7. OPERATION AND MAINTENANCE

- (1) Operational methods shall ensure that any surface runoff generated from the active waste fill areas and the waste mound areas not under final cover, shall not be directed into the existing municipal drainage ditch and natural environment.
- (2) Until final closure of the landfill and for the following first two (2) years, inspection of the Works after significant storm events shall be conducted to ensure the Works are functioning as designed and no significant sediment loading occurs from newly constructed mound slopes. After the post-closure 2-year maintenance period, semi-annual inspections shall be conducted to identify and mitigate any maintenance issues (e.g. excessive sediments / vegetation build-up, outlet blockages).
- (3) The Owner shall prepare an operation manual prior to the commencement of operation of the Works, that includes, but not necessarily limited to, the following information:
  - (a) operating procedures for routine operation of the Works;
  - (b) inspection programs, including frequency of inspection, for the Works and the methods or tests employed to detect when maintenance is necessary;
  - (c) repair and maintenance programs, including the frequency of repair and maintenance for the Works;
  - (d) contingency plans and procedures for dealing with potential spill, bypasses and any other abnormal situations and for notifying the District Manager; and
  - (e) procedures for receiving and responding to public complaints.

- (4) The Owner shall maintain the operation manual up to date through revisions undertaken from time to time and retain a copy at the location of the Works or at the Owner's operation headquarter. Upon request, the Owner shall make the operation manual available for inspection by the Ministry personnel.
- (5) The Owner shall maintain a logbook to record the results of the inspections and any cleaning and maintenance operations undertaken, and shall keep the logbook at the site or the Owner's operation head quarter for inspection by the Ministry. The logbook shall include the following:(a) the name of the components of the Works;
  - (a) the date and results of each inspection, maintenance and cleaning, including an estimate of the quantity of any materials removed; and
  - (b) the occurrence date of each spill within the catchment area of the Works, including follow-up actions and remedial measures undertaken.

# 8. 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 influent and effluent streams over the time period being monitored.
- (2) For the purposes of this condition, the following definitions apply:
  - (a) Semi-annual means once every six months; and
- (3) Samples shall be collected at the following sampling points, at the frequency specified, by means of the specified sample type and analyzed for each parameter listed and all results recorded:
  - (a) Storm Water Effluent and Surface Water Monitoring

# Table 2: Storm Water Effluent and Surface Water Monitoring

Sampling Location 1: outlet of the West Storm Water Management System at SW9 for West STM facility; \*

Sampling Location 2: outlet of the East Storm Water Management System at SW8 for East STM facility; and st

Sampling Location 3: SW5 at the existing municipal drainage ditch (near the southeast of the waste mound and the South Interceptor Swale) while there is sufficient water in the ditch for sampling\*

| Parameters  | Sample Type | Frequency   |
|---|-------------|---|
| Colour, Conductivity, Dissolved Oxygen, pH,   | Grab        | Samples shall be collected within twenty four (24) hours                    |
| Temperature   |             | after a rainfall event (preferably more than 10 mm rainfall in              |
| Total Suspended Solids, Total Phosphorus, Total Ammonia   |             | 24-hour period) resulting in a stormwater discharge from each               |
| Nitrogen  |             | storm water management  |
| Copper, Zinc, Iron  |             | system during the period  |
| Total Phenols (4-AAP)   |             | between April 1 and October 31  |
| , , ,   |             | at a minimum interval of one  |
|   |             | (1) month between consecutive sampling events                               |
| BOD <sub>s</sub> , Chemical Oxygen  | Grab        | sampling events   |
| Demand, Alkalinity, Total Dissolved Solids, Dissolved Organic Carbon, Chloride, Fluorine, Sulphate, Total |             |   |
| Kjeldahl Nitrogen, Nitrate and Nitrite Nitrogen   |             | Semi-annual while there is discharge from the stormwater management systems |
| Arsenic, Barium, Calcium,<br>Chromium, Magnesium,<br>Manganese, Nickel, Potassium,                        |             |   |
| Sodium, Strontium   |             |   |
| PAH's, PHC (F1 to F4),<br>Toluene   |             |   |

<sup>\*</sup> refer to Figure No. 2 Site Plan enclosed in the report, titled "ECA Application ISW Domtar Mill Residue Landfill (Big Ben), Cornwall, Ontario", dated December 18, 2017, prepared by BluMetric Environmental Inc., for the exact locations of SW5, SW8, and SW9.

- (4) The Temperature, pH and Dissolved Oxygen of the monitored streams shall be measured and recorded in the filed at the time of sampling for Total Ammonia Nitrogen. The concentration of un-ionized ammonia shall be calculated by taking into account the total ammonia concentration, pH and temperature, and applying the methodology stipulated in "Ontario's Provincial Water Quality Objectives", dated July 1994, as amended.
- (5) The Owner shall compare monitoring results obtained pursuant to Subsection (3)(a) with the

trigger concentration of the trigger parameters listed in Table 3 below to identify any potential leachate impact on stormwater.

(a) Storm Water Effluent Triggers

| Table 3 Stormwater Effluent Triggers |                      |  |
|--------------------------------------|----------------------|--|
| Trigger Parameter                    | Trigger Level- PWQOs |  |
| Column 1                             | Column 2             |  |
| Total Phosphorus                     | 0.03 mg/L            |  |
| Ammonia (unionized)                  | 0.02 mg/L            |  |
| Copper                               | 0.005 mg/L           |  |
| Phenols                              | 0.001 mg/L           |  |
| Zinc                                 | 0.02 mg/L            |  |
| Iron                                 | 0.3 mg/L             |  |
| рН                                   | 6.5 ~ 8.5 inclusive  |  |

- (b) in the event that a single monitoring result for any parameter (except for pH) listed in Column 1 of Table 3 exceeds its trigger level outlined in Column 2, and / or that a single monitoring result for pH is outside the corresponding range outlined in Column 2, the Owner shall conduct sampling of the contents of the affected SWM system (East or West) forthwith to confirm the exceedence of the trigger level for that parameter and identify potential source of leachate contamination. Upon confirmation of the exceedence for any parameter listed in Table 3, the Owner shall implement an approved contingency and remedial action plan to control the identified source of leachate contamination.
- (c) the Owner shall notify the District Manager orally, as soon as possible, and in writing within ten (10) days of the confirmation of leachate impact on storm water including an assessment of the relative severity and extent of leachate impact and proposed remedial actions.
- (d) within six (6) months of the issuance of the Approval, the Owner shall submit for an approval to the District Manager a "Stormwater Contingency and Remedial Action Plan" for the storm water Works including detailed description of the contingency and remedial plans that will be implemented in event that a leachate contamination on the storm water is confirmed pursuant to Subsection (5)(b).
- (6) 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:
  - (b) the Ministry's publication "Protocol for the Sampling and Analysis of Industrial/Municipal Wastewater Version 2.0" (January 2016), PIBS 2724e02, as amended; and
  - (c) the publication "Standard Methods for the Examination of Water and Wastewater" (21st

edition), as amended.

- (7) The monitoring frequencies in respect to any parameter listed in Table 2, may, after two (2) years of monitoring following commissioning of the Works and successful implementation of the landfill final closure plan, be modified by the District Manager, in writing from time to time.
- (8) The Owner shall retain for a minimum of three (3) years from the date of their creation, all records and information related to or resulting from the operation and maintenance and monitoring activities required by this Approval.

## 9. TEMPORARY EROSION AND SEDIMENT CONTROL

- (1) The Owner shall install and maintain temporary sediment and erosion control measures during construction and conduct inspections once every two (2) weeks and after each significant storm event (a significant storm event is defined as a minimum of 25 mm of rain in any 24 hours period). The inspections and maintenance of the temporary sediment and erosion control measures shall continue until they are no longer required and at which time they shall be removed and all disturbed areas reinstated properly.
- (2) The Owner shall maintain records of inspections and maintenance which shall be made available for inspection by the Ministry, upon request. The record shall include the name of the inspector, date of inspection, and the remedial measures, if any, undertaken to maintain the temporary sediment and erosion control measures.

# 10. REPORTING

- (1) One (1) 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) The Owner shall, upon request, make all manuals, plans, records, data, procedures and supporting documentation available to Ministry staff.
- (3) In addition to the obligations under Part X of the *Environmental Protection Act*, the Owner shall, within ten (10) working days of the occurrence of any reportable spill as defined on Ontario Regulation 675/98, bypass or 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.
- (4) The Owner shall prepare and submit a performance report to the District Manager on an annual basis by April 30<sup>th</sup> 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 monitoring data and a comparison to the effluent objectives and effluent triggers outlined in Conditions 5, 6 and 8, including an overview of the success and adequacy of the sewage works using trend graphs whenever possible;

- (b) a description of any operating problems encountered and corrective actions taken;
- (c) a summary of all maintenance carried out on any major structure, equipment, apparatus, mechanism or thing forming part of the Works;
- (d) a summary of any effluent quality assurance or control measures undertaken in the reporting period;
- (e) a summary of the calibration and maintenance carried out on all effluent monitoring equipment;
- (f) a summary of all spill or abnormal discharge events;
- (g) a summary of any public complaints received during the reporting period and any steps taken to address these complaints;
- (h) any other information the District Manager requires from time to time.

## Schedule A

- 1. Environmental Compliance Approval Application for Industrial Sewage Works, submitted by Mr. Stephane Digonnet of Domtar Inc., dated December 18, 2017, and all supporting documentation and design package prepared by BluMetric Environmental Inc., dated December 18, 2017.
- 2. A letter from Paris Holdings to the Ministry, dated December 18, 2017, enclosed in Appendix D of the report titled "Environmental Compliance Approval Application Industrial Sewage Works Domtar Mill Residual Landfill (Big Ben)" prepared by BluMetric Environmental Inc. for Domtar Inc., dated December 18, 2017. In the letter, Paris Holdings have confirmed that they are the owners of the subject property listed above, and they have given their consent and complete endorsement to the subject ECA application.

*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.
- 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 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 in a timely manner so that standards applicable at the time of Approval of the Works are still applicable at the time of construction, to ensure the ongoing protection of the environment.
- 5. Condition 5 and Condition 6 are 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.
- 6. Condition 7 is included to require that the Works be properly operated, maintained, funded, staffed and equipped such that the environment is protected and deterioration, loss, injury or damage to any person or property is prevented. As well, the inclusion of a comprehensive operations manual governing all significant areas of operation, maintenance and repair is prepared, implemented and kept up-to-date by the Owner. Such a manual 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 Works.
- 7. Condition 8 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.
- 8. Condition 9 is included as installation, regular inspection and maintenance of the temporary sediment and erosion control measures is required to mitigate the impact on the downstream receiving watercourse during construction until they are no longer required.
- 9. Condition 10 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.

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

<u>Rights, 1993</u>, S.O. 1993, c. 28 (Environmental Bill of Rights), the Environmental Commissioner, within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Environmental Commissioner 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

<u>AND</u>

The Environmental Commissioner 1075 Bay Street, Suite 605 Toronto, Ontario M5S 2B1

<u>AND</u>

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

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

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

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

DATED AT TORONTO this 22nd day of August, 2019

Youssouf Kalogo, P.Eng.

Director

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

YD/

c: Area Manager, MECP Cornwall

c: District Manager, MECP Ottawa

Mark Somers, BluMetric Environmental Inc.