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

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 9074-BFPLN3

Issue Date: October 1, 2019

Dell Ronald Babcock  
44 Penfold St  
Thunder Bay, Ontario  
P7A 3J7

**Site Location:** 433 West Floral Beach Road  
Shuniah Municipality, District of Thunder Bay  
P7A 3N8

*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:*

the establishment, use and operation of the proposed sewage works for the collection, treatment and subsurface disposal of domestic sewage, rated at 1,600 litres per day (L/d) to service a proposed three bedroom cottage for a recreational use, located at the above noted location, and consisting of the following:

**Proposed Greywater Disposal Pit** one (1) greywater disposal pit with a minimum side wall area of 10.03 m<sup>2</sup> (5.18 m long x 3.05 m wide x 0.61 m deep) installed in native soils (percolation rate less than 50 min/cm) rated at a maximum capacity of 1,000 L/day of greywater, containing a 189 L drum with 19 mm perforations along the sides and equipped with one (1) access riser raised 150 mm above grade with a watertight and lockable cover;

**Proposed Blackwater Holding Tank** one (1) polyethylene holding tank (Equinox model LP 2000B or Equivalent Equipment) with a working capacity of 9090 L limited to the collection of 1,300 L/day of blackwater, equipped with a 3 inch vent extending 300 mm above grade, a high level audible/visual alarm and one (1) access riser fitted to grade with a watertight and lockable cover, overlaying 152.4 mm of packed granular base;

**Existing Septic Tank**

one (1) pit privy to be decommissioned in accordance with Condition 7;

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 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 *Thunder Bay District Office*;
4. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19, as amended;
5. "Equivalent Equipment" means a substituted equipment or like-for-like equipment that meets the required quality and performance standards of a named equipment;
6. "Licensed Installer" means a person who is registered under the OBC 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 Dell Ronald Babcock 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. "Supporting Documentation" means the documents listed in Schedule A of this Approval;
13. "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, the application for approval of the works and the submitted supporting documents and plans and specifications as listed in this Approval.
3. Where there is a conflict between a provision of any submitted document 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 listed submitted documents, the document bearing the most recent date shall prevail.
4. Where there is a conflict between the listed 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 requirements of this Approval are severable. If any requirement of this Approval, or the application of any requirement of this Approval to any circumstance, is held invalid or unenforceable, the application of such requirement 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 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 OBC or a Professional Engineer, as defined in the *Professional Engineers Act*.
2. The Owner shall ensure that the Works are constructed such that minimum horizontal clearance distances as specified in the OBC are satisfied.
3. Upon construction 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 upon request, shall make the written statement available for inspection by Ministry staff.
4. 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.

#### **5. OPERATIONS, MAINTENANCE, AND RECORDING**

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 maintain and service the Works in such a manner that leaks and spills are prevented.
3. The Owner shall have a valid agreement with a hauler who is in possession of a valid Waste Management Systems Approval at all times during the operation of the Works and who will haul sewage to an approved wastewater treatment facility or sewage disposal site. The Owner shall keep a copy of the valid Agreement at all times during the operation of the Works.
4. The Owner shall ensure that grass-cutting is maintained regularly over the works,

and that adequate steps are taken to ensure that the area of the underground works is protected from vehicle traffic.

5. The Owners shall prepare an operations manual prior to introduction of sewage to the Works, that includes, but not necessarily limited to, the following information:
  - a. operating procedures for routine operation of all the Works;
  - b. inspection programs, including frequency of inspection, for all the Works and the methods or tests employed to detect when maintenance is necessary;
  - c. repair and maintenance programs, including the frequency of repair and maintenance for all the Works;
  - d. copies of maintenance contracts for any routine inspections & pump-outs should be included for all the tanks and treatment units; and
  - e. procedures for the removal and disposal of sewage from the Works to an approved sewage disposal site by a licensed hauler approved by the Ministry.
6. The Owners shall maintain the operations manual current and retain a copy at the location of the Works for the operational life of the Works. Upon request, the Owner shall make the manual available to Ministry staff.
7. The 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. The logbook shall include, at a minimum, records on inspections, maintenance activities, and pump-out events for the Works (date, quantity, hauler).
8. The Owners shall ensure that appropriate mitigative measures are taken for any objectionable odour that is generated from the Works.
9. 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.

## **7. DECOMMISSIONING OF UN-USED SEWAGE WORKS**

1. 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;

## **Schedule A**

1. Application for Environmental Compliance Approval submitted by Sarah Orendt of Allens Enterprises Services Inc. received on April 23, 2019 for the proposed Municipal and Private Sewage Works, including design report, final plans and specifications.

*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 require that the Works be properly operated, maintained, and equipped such that the environment is protected.

6. Condition 6 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.

7. Condition 7 is included to ensure that any components of un-used Works are properly decommissioned.

*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

AND

The Minister of the Environment,  
Conservation and Parks  
777 Bay Street, 5th Floor

AND

The Director appointed for the purposes of  
Part II.1 of the Environmental Protection Act  
Ministry of the Environment, Conservation

Toronto, Ontario  
M5G 1E5

Toronto, Ontario  
M7A 2J3

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)**

*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 1st day of October,  
2019

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

NZ/  
c: District Manager, MECP Thunder Bay - District  
Sarah Orendt, Allens Enterprises Services Inc.