

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 4476-BMDPXM

Issue Date: April 6, 2020

11092812 Canada Inc.  
100 Bonis Ave  
Toronto, Ontario  
M1T 2V2

Site Location: Cambridge Pet Foods  
Part 57, 58, 59, Plan 58R-18484  
City of Cambridge, Regional Municipality of Waterloo

*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 of stormwater management Works for the approximately 1.27 hectare of Phase 1 development at the Cambridge Pet Foods site (with a total area of approximately 2.33 hectare) located in the Boxwood Industrial Subdivision, Beasley's Broken Front Concession, Lot 28, Parts 57, 58, and 59 in Cambridge, Ontario, for the collection, treatment and disposal of stormwater run-off from catchment areas within the site, discharging to municipal storm sewer located below Goddard Crescent and then into the municipal stormwater management pond (WC1) which provides enhanced level quality control and quantity control for the subdivision, ultimately to West Creek, consisting of the following:

**Storm Sewer** ranging in size from 300 mm diameter to 750 mm diameter, equipped with manholes and catch basins, designed to convey the 5 year design storm event, receiving storm runoff from the catchment areas of Phase 1 development, and overflow from two infiltration trenches serving the building roof, discharging via an oil and grit separator to municipal storm sewer located below Goddard Crescent at the south side of the property;

**Oil and Grit Separator (Catchment Area of 1.27 ha):** - one (1) oil and grit separator (Stormceptor Model STC 4000 or equivalent), installed downstream of CBMH8 at the south side of the Phase 1 development, servicing the 1.27 ha catchment areas of Phase 1 development with a maximum average impervious of 90%, having a sediment storage capacity of 16,490 litres, an oil storage capacity of 3,360 litres, a total holding capacity of 20,255 litres, and a maximum treatment flow rate of 50 litres per second, discharging via a 750 millimetres diameter storm outlet pipe to municipal storm sewer located below Goddard Crescent at the south side of the property;

**Infiltration Trenches (Catchment Area of 0.44 ha):** - two (2) infiltration trenches located at each side of the building roof, each having a length of 22.0 m, a width of 12.0 m, and a depth of 0.47 m, designed to accommodate up to and including 25 mm storm event runoff from the building roof (approximately 0.44 ha), with a total active storage volume of approximately 99 cubic meters, consisting of a perforated pipe draining into a clear stone bed wrapped in geotextile fabric;

including erosion/sedimentation control measures during construction and all other controls and appurtenances essential for the proper operation of the aforementioned Works;

all in accordance with the submitted supporting documents listed in Schedule "A" forming part of this Approval.

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

"Approval" means this entire document including the application and any supporting documents listed in any schedules in this Approval;

"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 Guelph 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 11092812 Canada Inc. and its successors and assignees;

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

"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 terms and conditions herein and shall take all reasonable measures to ensure any such person complies with the same.

(2) Except as otherwise provided by these terms and conditions, the Owner shall design, build, install, operate and maintain the Works in accordance with this Approval.

(3) Where there is a conflict between a provision of this environmental compliance approval and any document submitted by the Owner, the conditions in this environmental compliance approval shall take precedence. Where there is a conflict between one or more of the documents submitted by the Owner, the Application shall take precedence unless it is clear that the purpose of the document was to amend the application.

(4) Where there is a conflict between the documents listed in the Schedule A, 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 terms and conditions of this Approval are severable. If any term and condition of this environmental compliance approval, or the application of any requirement of this environmental compliance 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**

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 in ownership to the municipal, i.e. assumption of the Works, the Owner shall notify the succeeding owner in writing of the existence of this Approval, and a copy of such notice shall be forwarded to the District Manager and the Director.

#### **4. SPILL CONTINGENCY AND POLLUTION PREVENTION PLAN**

(1) Before the commencement of operation of the Works, the Owner shall prepare a Spill Contingency and Pollution Prevention Plan that outlines procedures as to how to mitigate the impacts of a spill within the area serviced by the Works and prevent pollution incidents, and provide a copy to the District Manager. The said plan shall include as a minimum, but not limited to:

(a) the name, job title and 24-hour telephone number of the person(s) responsible for activating the Spill Contingency and Pollution Prevention Plan;

(b) a site plan drawn to scale showing the types of business, streets, catch basins & manholes, drainage patterns (including direction(s) of flow in storm sewers) and any features which need to be taken into account in terms of potential impacts on access and response (including physical obstructions and location of response and clean-up equipment);

(c) steps to be taken to report, contain, clean up and dispose of contaminants following a spill;

(d) a listing of telephone numbers for: local clean-up companies who may be called upon to assist in responding to spills; local emergency responders including health institution(s); and Ministry's Spills Action Centre 1-800-268-6060;

(e) Materials Safety Data Sheets (MSDS) for each and every hazardous material which may be transported or stored within the area serviced by the Works;

(f) a description of the spill response and pollution prevention training provided to employees assigned to work in the area serviced by the Works, the date(s) on which the training was provided and to whom;

(g) an inventory of response and clean-up equipment available to implement the Spill Contingency and Pollution Prevention Plan, location and date of maintenance/replacement if warranted, including testing and calibration of the equipment; and

(h) the date on which the Spill Contingency and Pollution Prevention Plan was prepared and subsequently, amended.

(2) The Spill Contingency and Pollution Prevention Plan shall be kept in a conspicuous place near the

reception area on site.

(3) The Spill Contingency and Pollution Prevention Plan will be amended from time to time as needed by changes in the operation of the facility or to reflect updates in the Municipal By-Laws, or improved Best Management Practices by the Owner.

## **5. OPERATION 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 according to the manufacturer's recommendations.

(2) Upon commencement of operation of the Works, the Owner shall implement a Spill Contingency and Pollution Prevention Plan prepared according to Condition 4.

(3) The Owner shall ensure that the design minimum storage volumes of the infiltration galleries are maintained at all times.

(4) This Approval includes the treatment and disposal of stormwater run-off from the proposed Phase 1 development located within the Cambridge Pet Foods site, for a total drainage area of 1.27 hectares, assuming an average imperviousness of 90%. Any changes to the site (increase in drainage area or imperviousness) that might increase the required storage volumes or increase the flows to or from the proposed stormwater management works will require an amendment to this Approval.

(5) The Owner shall conduct quarterly inspection of the Works (e.g. catch basins, infiltration galleries, oil & grit separator etc.) and, if necessary, clean and maintain the Works to prevent the excessive build-up of sediments and/or vegetation and to avoid reduction of the capacity and/or permeability of the Works. The Owner shall also regularly inspect and clean out the inlet to and outlet from the Works to ensure that these are not obstructed.

(6) The Owner shall ensure that no leachate is created from raw materials or final products. All leachate spills at the loading/unloading area shall be avoided.

(7) The Owner shall prepare an operations manual, complete with a monitoring program, prior to commencement of operation of the stormwater management Works. A copy of the operations manual shall be kept on site, and upon request, be available to the Ministry staff for review.

(8) The Owner shall maintain a logbook to record the results of the inspections specified in Subsection (5), as well as any cleaning or maintenance operations undertaken on the Works, and shall keep the logbook at the Owner's office for inspection by the Ministry. The logbook shall include the following:

- (a) the name of the Works; and
- (b) the date and results of each inspection, maintenance and cleaning, including an estimate of the quantity of any materials removed.
- (c) the date of each spill within the catchment area, including follow-up actions / remedial measures undertaken.

**6. MONITORING AND RECORDING**

(1) The Owner shall, upon commencement of operation of the sewage works, carry out a stormwater monitoring program. The monitoring program shall include obtaining grab samples from the outlet of oil & grit separator for at least four (4) rainfall wet events per year, with at least 30 days between two sampling events. Three (3) of the events must occur within the May to September time period.

(2) 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.

(3) Samples shall be collected and analyzed at the following sampling point(s), at the sampling frequencies and using the sample type specified for each parameter listed:

<b>Table 1 - Stormwater Monitoring</b>	
<b>Sampling Locations</b>	outlet of the oil & grit separator at CBMH12
<b>Frequency and Sample Type</b>	See Section 6 (1)
<b>Parameters</b>	Total Suspended Solids, Oil and Grease, BOD5, pH

(4) 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 publication "Protocol for the Sampling and Analysis of Industrial/Municipal Wastewater" (August 1994), ISBN 0-7778-1880-9, 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; and,
- (c) in respect of any parameters not mentioned in (a) or (b), the written approval of the District Manager, which approval shall be obtained prior to sampling.

(5) pH of the discharge from the site shall be determined in the field at the time of sampling for other parameters.

(6) 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 monitoring activities required by this Approval.

(7) The measurement frequency specified in this Condition, Subsection (1), above, and monitoring parameters specified in Subsections (3), above, may, after **two (2) years** of monitoring in accordance with this Condition, be modified by the Director in writing from time to time.

## **7. 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 specified in Subsection (1). The records shall include the name of the inspector, date of inspection, and any remedial measures undertaken to maintain the temporary sediment and erosion control measures. These records shall be made available for inspection by the Ministry, upon request.

## **8. REPORTING**

(1) One week prior to the start up of the operation of the Proposed 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 in 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 within 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 monitoring data, including an overview of the success and adequacy of the sewage works;
- (b) a description of any operating problems encountered and corrective actions taken;
- (c) a summary of all inspection, maintenance and clean-out carried out on the catch basins, StormTree, oil and grit separator and infiltration galleries;
- (d) a summary of all spill or abnormal discharge events; and,
- (e) a summary of any Notifications and Contingency Plan undertaken during the reporting period and a discussion regarding their adequacy.



### Schedule "A"

1. Application for Approval of Industrial Sewage Works, dated October 29, 2019, submitted by Paul Farquharson from GHD Limited;
2. Cambridge Pet Foods Stormwater Management Report dated October 2019, prepared by GHD Limited, along with drawings;
3. Revised Cambridge Pet Foods Stormwater Management Report dated February 28, 2020, prepared by GHD Limited, along with revised drawings;
4. Boxwood Industrial Subdivision Stormwater Management Report dated June 2009, prepared by Delcan Corporation;
5. Additional supporting documents provided by Nishant Patel and Paul Farquharson from GHD Limited;

*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 any subsequent Owner of the Works is made aware of the Approval and continue to operate the Works in compliance with it.
4. Condition 4 is included to ensure that the Ministry is immediately informed of the occurrence of an emergency or otherwise abnormal situation so that appropriate steps are taken to address the immediate concerns regarding the protection of public health and minimizing environmental damage and to be able to devise an overall abatement strategy to prevent long term degradation and the re-occurrence of the situation.
5. Condition 5 is included to require that the Works be properly operated and maintained such that the environment is protected.
6. Condition 6 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 do not cause any impairment to the receiving watercourse.
7. Condition 7 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.
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.

*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

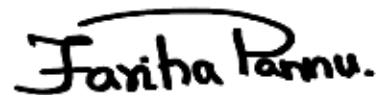
The Director appointed for the purposes of  
Part II.1 of the Environmental Protection Act  
Ministry of the Environment,  
Conservation and Parks  
135 St. Clair Avenue West, 1st Floor  
Toronto, Ontario  
M4V 1P5

**\* 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](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 6th day of April, 2020

A handwritten signature in black ink that reads "Fariha Pannu." The signature is written in a cursive style with a large, sweeping initial 'F'.

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Fariha Pannu, P.Eng.

Director

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

YZ/

c: District Manager, MECP Guelph District Office  
Paul Farquharson, GHD Limited