

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 0127-BPBHMX

Issue Date: June 16, 2020

Waste Management of Canada Corporation
117 Wentworth Court
Brampton, Ontario
L6T 5L4

Site Location: Courtice Transfer and Processing Facility
1 McKnight Road
Municipality of Clarington, Regional Municipality of Durham

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 of stormwater management Works to serve a portion of the Courtice Transfer and Processing Facility site receiving Solid Non-Hazardous Domestic, Industrial, Commercial and Institutional waste and conducting all waste transfer and processing (sorting) operations within a covered building, located in the Municipality of Clarington, for the collection, transmission, treatment and disposal of stormwater runoff from a total catchment area of 3.18 ha (the 1.74 ha Northern Drainage Area and the 1.44 ha Southern Drainage Area), to provide Enhanced Level water quality protection, discharging to the MTO Highway 418/401 off-ramp drainage ditch and ultimately to Tooley Creek, consisting of the following:

Northern Drainage Area

one (1) approximately 23.4 m long grassed swale located south of a fire fighting/stormwater management pond, having a longitudinal gradient of approximately 0.65%, discharging via a 375 mm diameter storm sewer, a 525 mm diameter storm sewer and a Jellyfish Filter stormwater treatment system to the fire fighting/stormwater management pond;

one (1) approximately 50 m long grassed swale located west of the fire fighting/stormwater management pond, having a longitudinal gradient of approximately 0.6%, discharging via 525 mm diameter storm sewers and a Jellyfish Filter stormwater treatment system to the fire fighting/stormwater management pond;

one (1) Jellyfish Filter (Imbrium Systems Jellyfish Model JF6-5-1 or Equivalent Equipment) stormwater treatment system, located west of the fire fighting/stormwater management pond, serving a catchment area of 1.74 ha,

having a sediment storage capacity of 313 kg, an oil storage capacity of 848 L and a maximum treatment flow rate of 27.8 L/s, consisting of a 1.8 m diameter precast concrete manhole housing a Jellyfish filtration system consisting of five (5) high-flow membrane filter cartridges and one (1) draindown membrane filter cartridge, rated for a minimum median Total Suspended Solids removal efficiency of 89%, discharging via a 525 mm diameter storm sewer to the fire fighting/stormwater management pond;

one (1) fire fighting/stormwater management pond located at the east side of the site, collecting stormwater runoff from a drainage area of 1.74 ha conveyed to the pond via one (1) existing drainage ditch and one (1) 525 mm diameter inlet pipe, having a total active storage volume of approximately 1,400 m³, discharging via an overflow outlet lined with a turf reinforcement mat and the existing outlet drainage ditch to the MTO Highway 418/401 off-ramp drainage ditch and ultimately to Tooley Creek;

Southern Drainage Area

one (1) approximately 42 m long 450 mm diameter storm sewer located along the central portion of the southern site boundary, designed to convey up to and including the 5-year return storm runoff from a catchment area of 1.44 ha to an oil/grit separator;

one (1) oil/grit separator (Hydroworks Hydroguard Model HG 6 or Equivalent Equipment), located at the central southern site boundary, serving a catchment area of 1.44 ha, having a sediment storage capacity of 2,600 L, an oil storage capacity of 833 L, a total holding capacity of 4,800 L and a maximum treatment flow rate of 54 L/s, discharging via a 450 mm diameter outlet pipe, a concrete headwall and a grassed trapezoidal outlet channel having a longitudinal gradient of approximately 0.5%, a bottom width of 1 m and 3:1 side slopes, discharging to the MTO Highway 418/401 off-ramp drainage ditch and ultimately to Tooley Creek;

all in accordance with the 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 York-Durham District Office of the Ministry;

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. "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;
7. "Owner" means Waste Management of Canada Corporation and its successors and assignees;
8. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;
9. "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;
10. "Works" means the sewage works described in the Owner's application, this Approval and in the supporting documentation referred to herein, to the extent approved by 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

1.1 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.

1.2 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.

1.3 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.

1.4 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.

1.5 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.

1.6 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

3.1 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; and

(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.

3.2 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. OPERATION AND MAINTENANCE

4.1 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.

4.2 The Owner shall make all necessary investigations, take all necessary steps and obtain all necessary approvals so as to ensure that the physical structure, siting and operations of the Works do not constitute a safety or health hazard to the general public.

4.3 The Owner shall design, construct and operate the Works with the objective that the effluent from the Works is essentially free of floating and settleable solids and does not contain oil or any other substance in amounts sufficient to create a visible film, sheen, foam or discoloration on the receiving waters.

4.4 The Owner shall ensure that all outdoor collection bin containers, containing recyclables, are covered at the end of each day. No waste is permitted to be stored outdoors.

4.5 In furtherance of, but without limiting the generality of, the obligation imposed by Subsection 1, the Owner shall ensure that equipment and material for the containment, clean up and disposal of any spill, bypass or loss of any product, by product, intermediate product, oils, solvents, waste material or any other polluting substance are kept on hand and in good repair for immediate use in the event of:

(a) any spill, bypass or loss of any product, by product, intermediate product, oils, solvents, waste material or any other polluting substance;

(b) a spill within the meaning of Part X of the EPA; or

(c) the identification of an abnormal amount of any product, by product, intermediate product, oils, solvents, waste material or any other polluting substance in any part of the Works.

4.6 The Owner shall ensure that the design minimum liquid retention volumes of the approved stormwater management Works are maintained at all times .

4.7 The Owner shall undertake an inspection of the condition of the Jellyfish Filter stormwater treatment system and the oil/grit separator, at least quarterly (once every three months), in accordance with the manufacturer's recommendation, and undertake any necessary cleaning and maintenance to ensure that hydrocarbons, sediment, debris and excessive decaying vegetation are removed from the above noted the Jellyfish Filter stormwater treatment system and the oil/grit separator to prevent the excessive build-up of hydrocarbons, sediment, debris and/or decaying vegetation to avoid reduction of capacity of the Jellyfish Filter stormwater treatment system and the oil/grit separator.

4.8 The Owner shall ensure the immediate clean-out of the Jellyfish Filter stormwater treatment system and oil/grit separator after a fuel or oil spill capture.

4.9 The Owner shall undertake monthly inspections of the condition of the stormwater management Works, including the existing outlet drainage ditch discharging to the MTO Highway 418/401 off-ramp drainage ditch and the grassed trapezoidal outlet channel discharging to the MTO Highway 418/401 off-ramp drainage ditch, and undertake any

necessary cleaning and maintenance to ensure that sediment, debris and excessive decaying vegetation are removed from the above noted stormwater management Works to prevent the excessive build-up of sediment, debris and/or decaying vegetation to avoid reduction of capacity 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.

4.10 The Owner shall maintain a logbook to record the results of these inspections and any cleaning and maintenance operations undertaken, and shall keep the logbook at the Owner's administrative office for inspection by the Ministry. The logbook shall include the following:

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

4.11 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.

5. OPERATIONS MANUAL

5.1 The Owner shall prepare an operations manual prior to the commencement of operation of the Works, that includes, but not necessarily limited to, the following information:

- (a) operating and maintenance 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) procedures for the inspection of monitoring equipment;
- (e) a spill prevention control and countermeasures plan, consisting of contingency plans and procedures for dealing with equipment breakdowns, potential spills and any other abnormal situations, including notification of the District Manager. The contingency plan shall be prepared by a Professional Engineer to the satisfaction of the District Manager, and shall cover the entire operational life of the sewage Work; and
- (f) procedures for receiving, responding and recording public complaints, including recording any follow-up actions taken.

5.2 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.

6. EFFLUENT QUALITY MONITORING AND RECORDING

The Owner shall, upon issuance of this Approval, carry out the following monitoring program:

6.1 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.

6.2 Samples shall be collected and analyzed at the following sampling locations, at the sampling frequencies and using the sample type specified for each parameter listed:

Sampling Location	1) The existing outlet drainage ditch prior to discharge to the MTO Highway 418/401 off-ramp drainage ditch; and 2) The outlet channel prior to discharge to the MTO Highway 401/418 off-ramp drainage ditch.
Sampling Frequency	Four (4) samples per year between March 1 and November 30, with at least one month between consecutive samples, each sample taken following a storm event of a minimum of 15 millimetres of rain in a 24 hour period.
Sampling Type	Grab
Sampling Parameters	Total Suspended Solids (TSS), Oil and Grease

6.3 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; and

(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.

6.4 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.

7. SPILL CONTINGENCY PLAN

7.1 Within three (3) months from the issuance of this Approval, the Owner shall implement a spill contingency plan - that is a set of procedures describing how to mitigate the impacts of a spill within the area serviced by the Works. This plan shall include as a minimum:

- (i) the name, job title and location (address) of the Owner, person in charge, management or person(s) in control of the facility;
- (ii) the name, job title and 24-hour telephone number of the person(s) responsible for activating the spill contingency plan;
- (iii) a site plan drawn to scale showing the facility, nearby buildings, streets, catchbasins & manholes, drainage patterns (including direction(s) of flow in storm sewers), any receiving body(ies) of water that could potentially be significantly impacted by a spill 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);
- (iv) steps to be taken to report, contain, clean up and dispose of contaminants following a spill;
- (v) a listing of telephone numbers for: local clean-up company(ies) who may be called upon to assist in responding to spills; local emergency responders including health institution(s); and MOE Spills Action Centre 1-800-268-6060;
- (vi) Safety Data Sheet (SDS) for each hazardous material which may be transported or stored within the area serviced by the Works;
- (vii) the means (internal corporate procedures) by which the spill contingency plan is activated;
- (viii) a description of the spill response training provided to employees assigned to work in the area serviced by the Works, the date(s) on which the training was provided and by whom;
- (ix) an inventory of response and clean-up equipment available to implement the spill contingency plan, location and, date of maintenance/replacement if warranted; and
- (x) the date on which the contingency plan was prepared and subsequently, amended.

7.2 The spill contingency plan shall be kept in a conspicuous, readily accessible location on-site.

7.3 The spill contingency plan shall be amended from time to time as required by changes in the operation of the facility.

8. REPORTING

8.1 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.

8.2 The Owner shall prepare and submit a performance report to the District Manager on an annual basis within ninety (90) days following the end of the period being reported upon. The reports shall contain, but shall not be limited to, the following information:

- (a) a summary and interpretation of all monitoring data collected pursuant to Condition 6, including an overview of the success and adequacy of the Works,
- (b) an assessment of the impact of the site discharge on the MTO Highway 418/401 off-ramp drainage ditch and Tooley Creek;
- (c) a description of any operating problems encountered and corrective actions taken;
- (d) a summary of all inspections and maintenance carried out on any major structure, equipment, apparatus, mechanism or thing forming part of the Works;
- (e) a summary of any effluent quality assurance or control measures undertaken in the reporting period;
- (f) a summary of any complaints received during the reporting period and any steps taken to address the complaints;
- (g) a summary of any by-pass, 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.
2. Condition 2 is imposed 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 imposed 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 imposed as regular inspection and necessary removal of hydrocarbons, sediment, debris and/or decaying vegetation from this approved stormwater management Works are required to mitigate the impact of hydrocarbons, sediment, debris and/or decaying vegetation on the treatment capacity of the Works. It

is also required to ensure that adequate storage is maintained in the stormwater management Works at all times as required by the design.

5. Condition 5 is imposed to ensure that an operations manual governing all significant areas of operation, maintenance and repair is prepared, implemented and kept current by the Owner and made available to the Ministry, upon request. Such a manual is an integral part of the management of the Works. Its compilation and use should assist the Owner in staff training, in proper environmental management and in identifying and planning for contingencies during possible abnormal conditions. The manual will also act as a bench-mark for Ministry staff when reviewing the Owner's operations.

6. Condition 6 is imposed to enable the Owner to evaluate and demonstrate the performance of the Works, so that the Works are properly operated and maintained and that the Works does not cause any impairment to the receiving watercourse.

7. Condition 7 is imposed to ensure that the Owner will implement the Spill Contingency Plan, such that the environment is protected and deterioration, loss, injury or damage to any person(s) or property is prevented.

8. Condition 8 is imposed 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' forms part of this Approval and contains a list of supporting documentation/information received, reviewed and relied upon in the issuance of this Approval.

SCHEDULE 'A'

1. Environmental Compliance Approval Application submitted by Robbie Larocque, P.Eng., Water Resources Manager, Associate, D. G. Biddle & Associates Limited, dated February 6, 2020 and received February 14, 2020.

2. The design report titled "Waste Management of Canada Courtice Transfer and Processing Facility, Stormwater Management Report, 1 McKnight Road, Municipality of Clarington, Our File: 118019", dated October 19, 2018 and revised January 31, 2020, final plans and specifications prepared by D. G. Biddle & Associates Limited.

3. All additional documentation provided by Waste Management of Canada Corporation and D. G. Biddle & Associates Limited.

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
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*** 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 16th day of June,
2020

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

KC/

c: District Manager, MECP York-Durham District Office

Robbie Larocque, P.Eng., Water Resources Manager, Associate, D. G. Biddle & Associates Limited

Karen Richardson, Manager, Development Engineering, Municipality of Clarington