

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 6607-BTFR3V
Issue Date: October 13, 2020

Timothy Loran Hagel and Margarethe Martia Smulders
1034 Clement Rd
Central Frontenac, Ontario
L5L 2L8

Site Location: 1034 Clement Road
Lot 8, Concession 1
Central Frontenac Township, County of Frontenac

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:

replacement of existing on-site sewage works servicing an existing apartment building (with seven (7) two-bedroom units and seven (7) one-bedroom units) located at above location, with a design maximum daily sanitary sewage flow of 11,550 L/d, and consisting of the following:

Septic Tanks

- three (3) existing two-compartment precast concrete septic tanks (or equivalent), each with a minimum capacity of 9,000 litres and equipped with risers and an effluent filter on an outlet pipe, receiving sewage from the existing apartment units and discharging effluent to the proposed pump tank described below;

Proposed Pump Chamber

- one (1) new precast concrete pump Chamber with a minimum capacity of 13,400 litres, equipped with one (1) Duplex effluent pump with time dose control, receiving sewage from the septic tank and pumped to the proposed treatment unit described below;

Proposed Treatment Unit

- one (1) new Orenco's AdvanTex System (AX100), with a maximum treatment capacity of 11,355 L, filled with textile media, equipped with a recirculation tank, discharging effluent to the proposed filter beds described below;

Proposed Filter Beds

- six (6) filter beds, separated by a minimum of 4.5 m (edge to edge, more than 5.0 m separation from pipe to pipe), each bed having an area of 50 m² (5.0 m x 10.0 m) constructed with six (6) runs of 9 m long 75 mm diameter perforated pipes (total pipe length of 54 m for each bed) equally spaced 0.85 m apart from centre to centre, all installed in a 300 mm deep continuous stone layer covered with a permeable geo-textile fabric, laying on top of a minimum of 750 mm deep filter medium as per the OBC requirements;
- each filter bed constructed within imported sand that has a percolation rate of T between 5 and 10 min/cm, covering a total area of 414 m² (23 m x 18 m);
- mantle (24 m x 15 m) constructed with sand having a percolation rate of T between 5 and 10 min/cm, extending a minimum horizontal distance of 15 m down-gradient of the last pipe, with a minimum thickness of 300 mm;

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

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

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

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

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

"Equivalent Equipment" means a substituted equipment or like-for-like equipment that meets the required quality and performance standards of a named equipment;

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

"Licensed Installer" means a person who holds a licence under Article 2.12.3.1 of the Ontario Building Code;

"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;

"OBC" means the Ontario Building Code ;

"Owner" means Timothy Loran Hagel and Margarethe Martia Smulders, and includes their successors and assignees;

"OWRA" means the Ontario Water Resources Act , R.S.O. 1990, c.O40, as amended;

"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.

"Supporting Documentation" means the documents listed in Schedule A of this Approval;

"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 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 referred to in this Approval and the conditions of this Approval, the conditions in this Approval shall take precedence.

(4) The Conditions of this Approval are severable. If any Condition of this Approval, or the application of any requirement of this Approval to any circumstance, is held invalid or unenforceable, the application of such condition to other circumstances and the remainder of this Approval shall not be affected thereby.

2. **EXPIRY OF APPROVAL**

This Approval will cease to apply to those parts of the Works which have not been constructed within five (5) years of the issuance 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. C 39 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 or a Professional Engineer.

(2) The Owner shall ensure that the Works are constructed such that minimum horizontal clearance distances as specified in the OBC are satisfied.

(3) The Owner shall ensure that the Orenco's AdvanTex Treatment system is installed in accordance with the Manufacturer's Installation Manual.

(4) Upon construction of the Works, the Owner shall prepare a statement, certified by a Licensed Installer or a Professional Engineer that the Works are constructed in accordance with this Approval, and upon request, shall make the written statement available for inspection by Ministry staff and staff of the local municipality.

(5) Upon construction of the Works, as-built drawing(s) showing the works "as constructed" shall be prepared by the Licensed Installer or a Professional Engineer. The drawing(s) shall be kept up to date through revisions undertaken from time to time and a copy shall be retained at the Works for the operational life of the Works.

5. OPERATIONS AND 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 ensure that the septic tank(s) is pumped out every 3-5 years or when the tank is 1/3 full of solids and the effluent filter(s) is cleaned out at minimum once a year (or more often if required).

(3) The Owner shall ensure that grass-cutting is maintained regularly over the subsurface disposal bed(s), and that adequate steps are taken to ensure that the area of the underground works is protected from vehicle traffic.

(4) The Owner shall visually inspect the general sewage area for breakout once every month during the operating season. In the event a breakout is observed from the subsurface disposal bed(s), the Owner shall ensure that the sewage discharge to the bed(s) is discontinued and the incident immediately reported verbally to the District Manager, followed by a written report within seven (7) days. The Owner shall ensure that during the time remedial actions are taking place, the sewage generated at the

site shall not be allowed to discharge to a surface water body or to the environment, and be safely collected and disposed of through a licensed waste hauler to an approved waste disposal site.

(5) The Owner shall prepare and make available for inspection by Ministry staff, a maintenance agreement with the manufacturer of Orenco's AdvanTex System or its authorized agent and a complete set of "as constructed" drawings within one (1) year of Substantial Completion of the Works. The maintenance agreement and drawings must be retained at the site and kept current.

(6) The Owner shall maintain a logbook to record the results of Operation and Maintenance activities specified in the above sub-clauses, and shall keep the logbook at the site and make it available for inspection by the Ministry staff.

(7) 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.

6. REPORTING

(1) One week prior to the start up of the operation of the Works, the Owner shall notify the District Manager (in writing) of the pending start up date of the Works.

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 ensure that the Ministry records are complete.

Schedule A

1. Application for Environmental Compliance Approval submitted by Wilburt Crain from Crains' Construction Ltd., dated July 22, 2020 and received on July 22, 2020 for the proposed replacement of existing subsurface sewage disposal works, including design report and drawings.

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

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

The Notice should also include:

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

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

This Notice must be served upon:

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

AND

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

AND

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

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

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

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

DATED AT TORONTO this 13th day of October, 2020



Fariha Pannu, P.Eng.

Director

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

YZ/

c: District Manager, MECP Kingston District Office
Wilburt Crain, Crains' Construction Ltd.