



Ministry of the Environment,  
Conservation and Parks

Ministère de l'Environnement, de la  
Protection de la nature et des Parcs

Southwestern Region

Direction régionale du Sud-Ouest

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Triple "S" Sanitation Ltd.  
R.R. #7,  
24544 Huff Side Road  
Thamesville, Ont.  
NOP 2K0

Operating under Waste Management System (Hauled Sewage) environmental compliance approval number A920072

For the Site located at:

30185 Peter Rd.  
Bothwell, Ont.  
NOP 1K0

You have applied under section 20.2 of the *Environmental Protection Act*, R.S.O. 1990, c. E.19, as amended (*Environmental Protection Act*) for approval of the use and operation of a Hauled Sewage Disposal Site. The Hauled Sewage Disposal Site approved herein may accept Hauled Sewage only, the spreading of which is restricted to the 38 hectare spreading area described at Schedule A of this Environmental Compliance Approval

*The handling, storage and disposal of hauled sewage at this Hauled Sewage Disposal Site is subject to the definitions, terms and conditions set out in the above referenced Waste Management System approval. In addition to those definitions, terms and conditions, the following site specific definitions, terms and conditions apply at this site. Where there is a conflict between the provisions of the Waste Management System environmental compliance approval and this environmental compliance approval, the definitions, terms and conditions of this document prevail when dealing with the operation of the Hauled Sewage Disposal Site approved by this document.*

For the purpose of this Hauled Sewage Disposal Site environmental compliance approval, the following definitions apply:

- a. "**Act**" means the *Environmental Protection Act*, R.S.O. 1990, c. E.19, as amended;
- b. "**Approval**" means this entire Environmental Compliance Approval including its schedules, if any, issued under section 20.3 of II.1 of the Act;
- c. "**Clean Water Act**" means the *Clean Water Act, 2006*, S.O. 2006, c. 22, as amended.
- d. "**commercial, community or institutional use**" means any commercial, community or institutional use, including without limitation the use of land for,
  - i. an office building,
  - ii. a hotel, motel, hostel or similar type of accommodation,
  - iii. an overnight camp or overnight campgrounds,
  - iv. indoor recreational or sporting activities,
  - v. indoor gatherings for civic, religious or social purposes,
  - vi. indoor performing arts activities,
  - vii. a railway station, airport passenger terminal or other embarkation or debarkation point for travellers,
  - viii. a day care centre,
  - ix. educational purposes, including a school, college, university, private career college or associated residence,
  - x. a health care facility, or
  - xi. a penitentiary, jail or other place of custody or detention;
- e. "**Company**" means Triple "S" Sanitation Ltd., or its agents or assignees;
- f. "**Director**" means any Ministry employee appointed by the Minister pursuant to Section 5 of the Act;
- g. "**District Manager**" means the District Manager of the Ministry for the geographic area in which a Site is located;
- h. "**Hauled Sewage**" is as defined in R.R.O. 1990, Reg. 347, made under the Act, as amended from time to time;
- i. "**Hauled Sewage Disposal Site**" means a Hauled Sewage Disposal Site, the location and operation of which is approved by the Ministry;
- j. "**Ministry**" means the Ministry of the Environment and Climate Change;
- k. "**Nutrient Management Act**" means the *Nutrient Management Act, 2002*, S.O. 2002, c. 4, as amended;
- l. "**Ontario Water Resources Act**" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;
- m. "**Operator**" means Triple "S" Sanitation Ltd.;
- n. "**Pesticides Act**" means the *Pesticides Act*, R.S.O. 1990, c. P11, as amended;

- o. "**Sensitive use**" means residential, commercial, recreational or institutional uses, and locations at which people regularly congregate;
- p. "**Sewage Works**" means a sewage works approved under Part II.1 of the Act;
- q. "**Site**" means a location approved to receive Hauled Sewage under the Approval;
- r. "**Surface Water**" means water found in lakes, ponds, rivers, streams, wetlands, swamps, artificial watercourses, intermittent watercourses and seasonally wet areas, including ditches and swales.

## GENERAL

- 1.
  - a. The requirements of the Approval are severable. If any requirement of the Approval, or the application of any requirement of the Approval to any circumstance, is held invalid, the application of such requirement to other circumstances and the remainder of the Approval shall not be affected in any way; and
  - b. The requirements specified in the Approval are the requirements under the Act. The issuance of the Approval in no way abrogates the Company's legal obligations to take all reasonable steps to avoid violating other applicable provisions of this legislation and other legislation and regulations.
- 2.
  - a. Except as otherwise provided by these conditions, the Site shall be operated in accordance with the application submitted for the Approval and with the supporting documentation submitted to the Ministry as part of the application listed in Schedule "A" to the Approval.
  - b. The Company, any owner of the property comprising the Site and the Operator shall ensure that it is operated in accordance with these conditions.
- 3. The Company shall ensure that any communication/correspondence made in relation to the Site or to the Approval includes reference to the Approval number.
- 4. The Company shall notify the Director in writing of any of the following changes within thirty (30) days of the change occurring:
  - a. change of owner of the property comprising the Site;
  - b. change of Operator; or;
  - c. change of Company or Company address.
- 5. In the event of any change in ownership of the Site, the Company shall forthwith notify in writing the succeeding owner of the existence of the Approval, and provide the successor with an up-to-date copy of the Approval and a copy of such notice shall forthwith be forwarded to the Director.
- 6. Without limiting the authority provided Provincial Officers under the Act, the Ontario Water Resources Act, the Pesticides Act or the Nutrient Management Act, a Provincial Officer from the Ministry has the authority under those acts, at any reasonable time, without a warrant and with any reasonable assistance, to inspect all areas of the Site except living quarters and to require that any records required to be kept

under any of those acts or the Approval be made available for inspection by that Provincial Officer upon request.

**SPILL PREVENTION PROCEDURES**

- 7.
  - a. Prior to operating at the Site, the Company shall develop written procedures covering the following:
    - i. procedures for reporting to the Ministry, and municipal authorities as required in the event a spill occurs at the Site;
    - ii. a list of the personnel responsible for operations at the Site;
  - b. The Company shall ensure that all personnel involved the operation of this Hauled Sewage Disposal Site are aware of the requirements of this Approval and are trained in Spill Prevention Procedures outlined in this condition.

**OPERATIONS**

- 8. The Company must ensure that no unnecessary off-Site effects, such as vermin, vectors, odour, dust, litter, noise and traffic, result from the spreading, hauling, storage or disposal of Hauled Sewage at this Site. This condition does not reduce the Company's obligations to comply with the Act or the Ontario Water Resources Act.
- 9. Spills of a pollutant that cause or may cause an adverse effect, that may enter or do enter any "waters", as that term is defined in the *Ontario Water Resources Act*, and that may impair the water quality of those waters, shall forthwith be reported to the Ministry's Spills Action Centre at (416) 325-3000 or 1-800-268-6060) and the Company shall take appropriate remedial action to limit the impact. Information regarding all spills shall be recorded in the log book, referred to in condition 15 of the Approval.
- 10. Hauled Sewage shall only be spread at the site during the time periods indicated in the table below.

Maximum Sustained Slope	Soil Permeability <sup>1</sup>	Allowable Duration of Application	
		Southern Ontario	Northern Ontario
0 to 3%	Any soils where Percolation Time <sup>2</sup> >1cm per minute	April 1 to November 30	April 1 to November 30
3 to 6%	Rapid to moderately rapid	April 1 to November 30	April 1 to November 30
3 to 6%	Moderate to slow	May 1 to November 30	June 1 to November 30
6 to 9%	Rapid to moderately rapid	May 1 to November 30	June 1 to November 30
6 to 9%	Moderate to slow	No spreading permitted	No spreading permitted

Notes:

<sup>1</sup>The Company (or qualified consultant) is responsible for ensuring that the soil permeability of the soils is properly classified in accordance with currently accepted engineering and hydrogeological practices and submitting documentation as to the classification, if a classification greater than "slow" is claimed.

<sup>2</sup>Percolation Time means the average time in minutes that is required for water to drop one (1) centimetre during a soil percolation test as determined by the test or other appropriate means.

- 11. Spreading of Hauled Sewage is prohibited in areas with a maximum sustained slope of greater than 9%.

12. Spreading of Hauled Sewage is prohibited in any areas where the activity is or would be a Significant Drinking Water Threat as defined under the Clean Water Act.

**SETBACKS**

The following Site specific setback requirements apply to the spreading of Hauled Sewage at the Site and **take precedent** over the setback requirements set out in Schedule D of Waste Management System approval No. A920072.

13. The portion of the Site approved for spreading or storage of Hauled Sewage is subject to the following setbacks,
- a. a minimum of 450 meters from sensitive uses, or 90 metres from a single residence, unless the Hauled Sewage is injected or incorporated into the soil within 24 hours of application, in which case the separation distance may be reduced to 25 metres from a single residence or 50 metres from a group of three or more residences;
  - b. a minimum of 30 meters from a public roadway unless the Hauled Sewage is injected or incorporated into the soil within 24 hours of application, in which case the separation distance may be reduced to 15metres;
  - c. a minimum of 90 meters from private water wells;
  - d. a minimum of 100 meters from municipal drinking water wells; and
  - e. setbacks to surface waters as detailed in the Table below:

**Table: Setbacks from surface waters**

Maximum Sustained Slope	Setbacks for sites with <u>confirmed</u> Rapid to Moderately Rapid Permeability <sup>1</sup> Soils	Setbacks for Sites where soil permeability <sup>1</sup> has not been confirmed or is confirmed to be moderate or slow	Setbacks for sites where hauled sewage is injected into soil or placed in a trench or furrow
0 - 3%	60 metres	120 metres	60 metres
3 - 6%	120 metres	240 metres	120 metres
6 - 9%	180 metres	360 metres	180 metres
greater than 9%	No sewage to be applied	No sewage to be applied	No sewage to be applied

<sup>1</sup>The Company (or qualified consultant) is responsible for ensuring that the soil permeability of the soils is properly classified in accordance with currently accepted engineering and hydrogeological practices and submitting documentation as to the classification, if a classification greater than "slow" is claimed.

**STORAGE**

14. Hauled Sewage shall be stored pursuant to the Approval for this Site.

**RECORD KEEPING**

15. The Company shall keep written records in the log book and will maintain a record of where, when and how much Hauled Sewage was spread, stored or disposed at the Site;

**EXPIRY**

16. The Approval Expires on: August 31, 2022.

## SCHEDULE "A"

*This Schedule "A" forms part of this Approval:*

1. Environmental Compliance Approval Application, dated March 5 and 6, 2019, and received on March 6, 2019, and signed by George M. Smith and John Johnson.

*The reasons for the imposition of these terms and conditions are as follows:*

1. The reason for conditions 1, 2, 3, 4, 5 and 6 is to clarify the legal rights and responsibilities of the Company.
2. The reason for conditions 7 and 9 is to ensure that staff can identify Site problems and deal promptly and effectively with any spills and upsets, and any public complaints that may occur.
3. The reason for condition 8 is to ensure that the Site is operated in a manner which does not result in a nuisance or a hazard to the health and safety of the environment or people.
4. The reason for conditions 10 and 11 is to ensure that land application restrictions are established based on the slope of land, type of soil and the period of use in any calendar year to promote the seepage of hauled sewage down into the underlying overburden. The prohibitions will prevent Hauled Sewage spreading when there is a risk of runoff
5. The reason for condition 12 is to ensure Hauled Sewage application is not to take place in areas where the activity is considered to be a significant drinking water threat under the Clean Water Act.
6. The reason for condition 13 is to ensure that only the area reviewed and recommended in the Site assessment, subject to the listed setbacks, is used for spreading.
7. The reason for conditions 15 is to ensure that the Site is operated in accordance with the application and supporting information submitted by the Company, and not in a manner which the Director has not been asked to consider.
8. The reason for conditions 14 is to ensure Hauled Sewage is stored in a manner that minimizes the likelihood of spills or hazards to the health and safety of the environment or people.
9. The reason for condition 16 is to ensure a periodic review of the instrument occurs to ensure the Site operations and associated impacts have not resulted in adverse effects on the land as a consequence of continuous long term use.

*In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me and the Environmental Review Tribunal within 15 days after receipt of this Notice, require a hearing by the Tribunal. Section 142 of the Environmental Protection Act provides that the Notice requiring the hearing shall state:*

1. 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;
2. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

*Pursuant to subsection 139(3) of the Environmental Protection Act, a hearing may not be required with respect to any terms and conditions in this environmental compliance approval, if the terms and conditions are substantially the same as those contained in an approval that is amended or revoked by this environmental compliance approval.*



*The Notice should also include:*

3. The name of the appellant;
4. The address of the appellant;
5. The environmental compliance approval number;
6. The date of the environmental compliance approval;
7. The name of the Director, and;
8. 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

Director  
Ministry of the Environment and Climate  
Change  
Sarnia District Office  
1094 London Rd.  
Sarnia, Ont. N7S 1P1

**\* Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal Toll Free at: Tel: 1 (866) 448-2248, Fax: 1 (877) 849-2066 or [ERTTribunalSecretary@ontario.ca](mailto:ERTTribunalSecretary@ontario.ca)**

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

DATED AT \_\_\_\_\_ this 21 day of August 2019



Shawn Howard, Supervisor, Sarnia District, Windsor Area Office  
Director, Section s.20.3, *Environmental Protection Act*,  
Ministry of the Environment and Climate Change  
Windsor Area Office  
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