

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 3972-BWAKDG

Issue Date: December 21, 2020

Halton Crushed Stone Limited  
85 Passmore Avenue  
P.O. Box 272  
Toronto, Ontario  
M1S 3B6

Site Location: Kirkfield Quarry  
1563 Kawartha Lakes Road 48  
Parts of Lots 7, 8 and Block B of North Portage Road  
Concession in Bexley Township  
City of Kawartha Lakes

*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 sewage Works for the collection, transmission, treatment and reuse of wash water from a proposed aggregate wash plant located within the Kirkfield Quarry site, with no off-site surface water discharge, consisting of the following:

- an approximately 35 m long and 50 m wide primary settling pond having an approximate surface area of  $1,750 \text{ m}^2$ , an average depth of 3 m and an approximate volume of  $5,250 \text{ m}^3$ , complete with a 1 m thick compacted liner made of local low permeability clayey and silty materials, a minimum 1 m high perimeter containment berm, receiving wash water from the proposed aggregate wash plant, and discharging by gravity to a secondary (polishing) settling pond;
- an approximately 80 m long and 35 m wide secondary (polishing) settling pond, having an approximate surface area of  $2,800 \text{ m}^2$ , an average depth of 3 m and an approximate volume of  $8,400 \text{ m}^3$ , complete with a 1 m thick compacted liner made of local low permeability clayey and silty materials, a minimum 1 m high perimeter containment berm, receiving effluent from the primary settling pond, and discharging by gravity to a tertiary (clarifying) settling pond;
- an approximately 50 m long and 35 m wide tertiary (clarifying) settling pond, having an approximate surface area of  $1,750 \text{ m}^2$ , an average depth of 3 m and an approximate volume of  $5,250 \text{ m}^3$ , complete with a 1 m thick compacted liner made of local low permeability clayey and silty materials, a minimum 1 m high perimeter containment berm, receiving effluent from the secondary (polishing) settling pond, and

discharging by gravity to a fresh water intake pond;

- an approximately 80 m long and 35 m wide fresh water intake pond having an approximate surface area of 2,800 m<sup>2</sup>, an average depth of 3 m and an approximate volume of 8,400 m<sup>3</sup>, complete with a 1 m thick compacted liner made of local low permeability clayey and silty materials, a minimum 1 m high perimeter containment berm, and a 3 m wide emergency spillway discharging to the existing quarry sedimentation pond, receiving effluent from tertiary (clarifying) settling pond and on an as-needed basis from the existing quarry collection sump, the fresh water intake pond discharging to the proposed aggregate wash plant for re-use in aggregate washing operations;
- all other controls, electrical equipment, instrumentation, piping, valves and appurtenances essential for the proper operation of the aforementioned sewage Works;

all in accordance with the supporting documents listed in Schedule 'A'.

*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 Peterborough District 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 Halton Crushed Stone Limited and includes his 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, 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) The Owner shall ensure that any persons 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 documents listed in the Schedule 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 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 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; 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 Informations 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, 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**

(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. The Owner shall also ensure that all monitoring programs and maintenance schedules for the Works are complied with.

(2) The Owner shall, upon identification of any spill, bypass or loss of any product, by-product, intermediate product, oil, fuel, solvent, waste material or any other polluting substance into the environment, take immediate action to prevent the further occurrence of such loss and prevent the substance from entering the settling ponds and the fresh water intake pond.

(3) 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, oil, fuel, solvent, 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, oil, fuel, solvent, 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, oil, fuel, solvent, waste material or any other polluting substance in any part of the Works.

(4) The Owner shall ensure that the design minimum liquid retention volumes of the Works are maintained at all times.

(5) During the period when aggregate washing is occurring, the Owner shall undertake weekly visual inspections of the Works for potential spills, structural integrity of the perimeter containment berms and accumulation of sediment in the Works and undertake corrective measures, if necessary, to ensure continued suspended solids removal performance of the Works, with results recorded in a log book.

(6) The Owner shall periodically measure the amount of sediment accumulating in the settling ponds and the fresh water intake pond and remove the sediment, if necessary, to ensure continued suspended solids removal performance of the settling ponds and the fresh water intake pond, with results recorded in a log book.

(7) 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 site. The logbook shall include the following:

(a) the name of the works;

(b) the name of the inspector who conducted each inspection; and

(c) the date and results of each inspection, description of maintenance and cleaning, including an

estimate of the quantity of any materials removed and method of clean-out of the works.

(8) The log book shall be retained at the site and be made available for Ministry inspection upon request.

(9) The Owner shall prepare an operations manual within six (6) months of the introduction of wash water to the Works, that includes, but not necessarily limited to, the following information:

(a) operating 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) contingency plans and procedures for dealing with potential spill, bypasses and any other abnormal situations and for notifying the District Manager; and

(e) complaint procedures for receiving and responding to public complaints.

(10) The Owner shall maintain the operations manual up to date through revisions undertaken from time to time and retain a copy at the location of the Works. Upon request, the Owner shall make the manual available for inspection and copying by Ministry personnel.

(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. EFFLUENT MONITORING AND RECORDING**

The Owner shall, upon commencement of operation of the Works, carry out the following monitoring program:

(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.

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

<b>Table 1 - Effluent Monitoring</b>	
<b>Sampling Location</b>	Effluent discharged over the 3 m wide emergency spillway of the fresh water intake pond
<b>Sampling Frequency</b>	During any overflow event (during periods of effluent discharge over the 3 m wide emergency spillway of the fresh water intake pond)
<b>Sampling Type</b>	Grab
<b>Sampling Parameters</b>	Total Suspended Solids, Oil and Grease, Total Ammonia Nitrogen, Nitrite Nitrogen, Nitrate Nitrogen, pH (field), Temperature (field)

(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 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) the publication "Standard Methods for the Examination of Water and Wastewater" (21st edition), as amended from time to time by more recently published editions.

(4) The temperature and pH of the effluent from the 3 m wide emergency spillway of the fresh water intake pond shall be determined in the field at the time of sampling for total ammonia. The concentration of un-ionized ammonia shall be calculated using the total ammonia concentration, pH and temperature using the methodology stipulated in "Ontario's Provincial Water Quality Objectives" dated July 1994, as amended, for ammonia (un-ionized).

(5) The Owner shall measure, record and calculate the flowrate at the 3 m wide emergency spillway of the fresh water intake pond on each day there is effluent discharge over the 3 m wide emergency spillway of the fresh water intake pond.

(6) 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.

## **6. REPORTING**

(1) One week prior to the commencement of the aggregate washing operations, the Owner shall notify the District Manager (in writing) of the pending commencement date.

(2) In addition to the obligations under Part X of the *Environmental Protection Act*, the Owner shall, within 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, oils, solvents, 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.

(3) The Owner shall, upon request, make all manuals, plans, records, data, procedures and supporting documentation available to Ministry staff.

(4) 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 pursuant to Conditions 5(2), including an overview of the success and adequacy of the Works;
- (b) a description of any operating problems encountered and corrective actions taken;
- (c) a summary of all maintenance carried out on any major structure, equipment, apparatus, mechanism or thing forming part of the sewage Works;
- (d) a summary of any effluent quality assurance or control measures undertaken in the reporting period;
- (e) a summary of the calibration and maintenance carried out on all effluent monitoring equipment;
- (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
- (h) 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 the Works are constructed in a timely manner so that standards applicable at the time of Approval of the Works are still applicable 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 to ensure that a comprehensive operations manual governing all significant areas of operation, maintenance and repair is prepared, implemented and kept up-to-date by the Owner and made available to the Ministry. Such a manual is an integral part of the operation of the Works. Its compilation and use should assist the Owner in staff training, in proper operations and in identifying and planning for contingencies during possible abnormal conditions. The manual will also act as a benchmark for Ministry staff when reviewing the Owner's operation of the Work. Condition 4 is imposed to ensure that the Works will be operated and maintained in a manner enabling compliance with the terms and conditions of this Approval, such that the environment is protected and deterioration, loss, injury or damage to any person or property is minimised and/or prevented. Furthermore, Condition 4 is imposed to ensure that accumulated sediment in the settling ponds and the fresh water intake pond is removed to maintain sediment removal performance of the settling ponds and the fresh water intake pond.
5. Condition 5 is imposed to require the Owner to demonstrate on a continual basis that the quality and quantity of the effluent from does not cause any impairment to the receiver.
6. Condition 6 is imposed to provide a performance record for future references and to ensure that the Ministry is made aware of problems as they arise, so that the Ministry can work with the Owner in resolving the problems in a timely manner.



### **SCHEDULE 'A'**

1. Environmental Compliance Approval Application submitted by Kevin Fitzpatrick, P.Eng., Senior Project Engineer, WSP Canada Inc., dated November 29, 2019 and received on December 11, 2019 and all supporting documentation and information prepared by WSP Canada Inc.
2. The design report titled: "Kirkfield Quarry, Environmental Compliance Approval (OWRA S53) Application Supporting Study, Halton Crushed Stone" dated December 9, 2019, prepared by WSP Canada Inc.
3. All additional documentation provided by WSP Canada Inc.

*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 21st day of December, 2020

A handwritten signature in black ink that reads "Fariha Pannu." The signature is written in a cursive style with a large, sweeping flourish over the first part of the name.

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

KC/

c: District Manager, MECP Peterborough District Office  
Kevin Fitzpatrick, P.Eng., Senior Project Engineer, WSP Canada Inc.