

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 2085-BVBM74  
Issue Date: December 14, 2020

1066455 Ontario Inc.  
8 Jury Drive  
P.O. Box 130  
Penetanguishene, Ontario  
L0K 1P0

Site Location: 1956 Highway 20  
City of Thorold, Regional Municipality of Niagara  
L0S 1E0

*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:*

sewage works for the treatment and subsurface disposal of sewage with a total combined daily domestic sewage flow of 80,000 litres per day, designed for a maximum balanced daily sewage flow of 8,640 litres per day, servicing the Can View Drive-In, seasonally operated (from April to October) located at the above noted Site Location, consisting of the following:

- *Existing Septic Tank:*
  - two (2) existing two-compartment in-ground concrete septic tanks, arranged in parallel, each septic tank with approximate capacity of 22,900 litres (total capacity of 45,800 litres) receiving sewage flows from the existing building and discharging to pump chamber described below;
- *Existing Pump Chamber:*
  - one (1) existing 1.8 metres diameter in-ground single compartment concrete pump station with a total capacity of approximately 11,800 litres (1.8 m diameter x 4.3 metres depth), with a working capacity of 6,300 litres, installed with two (2) new Meyers ME50S-01 0.5 horsepower (HP), 220 volt, 6.7 ampere, single phase, submersible effluent pumps in a duplex pump configuration rated for 100 litres per minute at a 12 metres Total Dynamic Head (TDH) and controlled by a new SJE Rhombus IFS duplex control panel, floats and high level alarm for demand dosing of 1,080 litres per dose, with alternating discharges to existing pump/ balancing tanks described below;

- *Existing Pump/ Balancing Tanks:*
  - two (2) existing in-ground concrete pump / balancing tanks, with an approximate capacity of 13,000 litres each (total capacity of 26,000 litres), each installed with two (2) new Myers ME50S-01 (0.5 horse power, 220 volt, 6.7 ampere, single phase) submersible effluent pumps in a duplex pump configuration, each pump with a rated capacity of approximately 300 litres per minute at a 0 metre total dynamic head (TDH), with alternate dosing between each of two cells, within the two absorption trench fields, operated by two (2) new SJE Rhombus IFS duplex control panels, complete with floats and alarm, discharging to sub-surface disposal bed described below via distribution boxes;
- *Existing Sub-surface Disposal Bed:*
  - existing in-ground absorption trench leaching bed, rated for 8,640 litres per day, installed in native soil with a percolation time (T) of 50 minutes per centimetre, with a total length of distribution piping of 2,160 meters, divided into four (4) cells, each cell containing eighteen (18) runs of 100 millimetres (4") diameter perforated PVC distribution pipes 30 metres in length, spaced at 1.8 meters apart.

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

1. "Approval" means this entire Approval document and any Schedules to it, including the application and Supporting Documentation;
2. "Director" means a person appointed by the Minister pursuant to Section 5 of the EPA for the purposes of Part II.I of the EPA;
3. "District Manager" means the District Manager of the appropriate local district office of the Ministry where the Works is geographically located;
4. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19, as amended;
5. "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;
6. "OBC" means the *Ontario Building Code*;
7. "Owner" means 1066455 Ontario Inc., and its successors and assignees;
8. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;
9. "Supporting Documentation" means the documents listed in Schedule A of this Approval;
10. "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 in the schedule 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 documents in the schedule, 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.
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. 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 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, 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.
3. The Owner shall ensure that all communications made pursuant to this condition refer to the number of this environmental compliance approval.

## **3. RECORD DRAWINGS**

1. "As-built" drawings shall be kept up to date through revisions undertaken from time to time and a copy shall be retained at the site for the operational life of the Works and shall be made available for inspection by Ministry staff.

## **4. OPERATIONS, MAINTENANCE, AND RECORDING**

1. The Owner shall ensure that, at all times, the Works and the related equipment and appurtenances used to achieve compliance with this Approval are properly operated and maintained. Proper operation and maintenance shall include effective performance, adequate funding, adequate staffing and training, including training in all procedures and other requirements of this Approval and the OWRA and regulations, adequate laboratory facilities, process controls and alarms and the use of process chemicals and other substances used in the Works.
2. The Owner shall ensure that the septic tank is pumped out every 3-5 years or when the tank is 1/3 full of solids and the effluent filter 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, and that adequate steps are taken to ensure that the area of the underground works is protected from vehicle traffic.

4. The Owner shall ensure that in the event a break-out is observed from the subsurface disposal bed, the sewage discharge to the bed 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 shall be safely collected and disposed of through a licensed waste hauler to an approved waste disposal site.
5. 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.
6. The Owner shall employ measurement devices to accurately measure quantity of effluent being discharged to each individual subsurface disposal system, including but not limited to water/wastewater flow meters, event counters, running time clocks, or electronically controlled dosing, and shall record the daily volume of effluent being discharged to the subsurface disposal system.
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.

## **5. 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.
2. The Owner shall, within fifteen (15) days of occurrence of a spill within the meaning of Part X of the EPA, submit a full written report of the occurrence to the District Manager describing the cause and discovery of the spill, clean-up and recovery measures taken, preventative measures to be taken and schedule of implementation, in addition to fulfilling the requirements under the EPA and O. Reg. 675/98 "Classification and Exemption of Spills and Reporting of Discharges".

*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 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.

3. Condition 3 is included to ensure that the Works are constructed in accordance with the Approval and that record drawings of the Works "as constructed" are updated and maintained for future references.
4. Condition 4 is included to require that the Works be properly operated, maintained, and equipped such that the environment is protected.
5. Condition 5 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.

## **Schedule A**

1. Application for Environmental Compliance Approval for Private Sewage Works submitted by Eric Gunnell, P. Eng., of Gunnell Engineering Limited, and signed by Stacey Cox (Babcock), Owner 1066455 Ontario Inc., dated April 28, 2020, including design report, final plans and specifications and all supporting documentation and correspondence submitted in support of this application.

*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

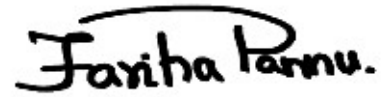
**\* Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349, Fax: (416) 326-5370 or [www.ert.gov.on.ca](http://www.ert.gov.on.ca)**

*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 14th day of December, 2020



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Fariha Pannu, P.Eng.

Director

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

SP/

c: District Manager, MECP Niagara District Office  
Eric Gunnell, P. Eng., Gunnell Engineering Ltd.