

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 6068-BVAPQW

Issue Date: December 19, 2020

Timberwolf Trading Inc.
7781 Howard Ave
Amherstburg, Ontario
N0R 1J0

Site Location: 7781 Howard Avenue
Town of Amherstburg, County of Essex, Ontario

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 serving an industrial/commercial site with a restaurant/bar, forest products operation facility and distillery building, having a total area of 9.1 hectares, located at 7781 Howard Avenue, in the Town of Amherstburg, consisting of the following:

Proposed Works

Stormwater Management Facilities

- one (1) oil/grit separator, ADS model FD-8HC (or approved Equivalent Equipment), having a sediment storage capacity 3.47 cubic metres, an oil storage capacity of 4,239 litres and a peak flow capacity of 1,415 litres per second, ultimately discharging into a municipal drain - the Tremblay Drain.

Existing Works

Stormwater Management Facilities

- existing stormwater conveyance systems consisting of storm sewers, swales along south property line and across parking lot area, discharging in to the aforementioned proposed oil/grit separator.

Holding Tank System

Holding tank system for the storage of wastewater/wastes from brewing process, as follows:

- one (1) holding tank with a minimum total capacity of 9,100 litres, complete with high water level float with visual/audible alarm system, inlet pipes, vent, access and related appurtenances.

Non-contact Cooling Water Discharge

- non-contact cooling water discharge from brewing process, having a maximum flow rate of 2.5 litres per second, discharging, via on-ditches (approximately 450 metres long), into the municipal drain - the Tremblay Drain.

Including erosion/sedimentation control measures during construction and all other controls and appurtenances essential for the proper operation of the aforementioned Works.

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:

1. "Approval" means this entire Environmental Compliance Approval and any Schedules attached to it;
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 appropriate local district office of the Ministry where the Works is geographically located;
4. "Equivalent Equipment" means alternate piece(s) of equipment that meets the design requirements and performance specifications of the piece(s) of equipment to be substituted;
5. "Existing Works" means those portions of the Works included in the Approval that have been constructed previously;
6. "Licensed Engineering Practitioner" means a person who holds a licence, limited licence or temporary licence under the PEA;
7. "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;
8. "Owner" means any person that is responsible for the establishment of the Works being approved by this Approval, and includes Owner's Legal Name and its successors and assigns;
9. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40;

10. "Proposed Works" means those portions of the Works included in the Approval that are under construction or to be constructed;
11. "Works" means the approved sewage works, and includes Proposed Works, Existing Works

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 terms and conditions herein and shall take all reasonable measures to ensure any such person complies with the same.
2. The Owner shall design, construct, operate and maintain the Works in accordance with the conditions of this Approval.
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 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 address of Owner;
 - b. change of Owner, including address of new 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. B.17* , as amended, shall be included in the notification;

- 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* , as amended, shall be included in the notification.
2. In the event of any change in ownership of the Works, the Owner shall notify the succeeding owner in writing, of the existence of this Approval, and forward a copy of the notice to the District Manager.
3. The Owner shall ensure that all communications made pursuant to this condition refer to the environmental compliance approval number.

3. CONSTRUCTION OF PROPOSED WORKS / RECORD DRAWINGS

1. All Proposed Works in this Approval shall be constructed and installed and must commence operation within five (5) years of issuance of this Approval, after which time the Approval ceases to apply in respect of any portions of the Works not in operation.
2. Upon completion of construction of the Proposed Works, the Owner shall prepare and submit a written statement to the District Manager, certified by a Licensed Engineering Practitioner, that the Proposed Works is constructed in accordance with this Approval.
3. Within one (1) year of completion of construction of the Proposed Works, a set of record drawings of the Works shall be prepared or updated. These drawings shall be kept up to date through revisions undertaken from time to time and a copy shall be readily accessible for reference at the Works.

4. OPERATION AND MAINTENANCE

1. The Owner shall inspect the Stormwater Management Facility and Cooling Water discharge at least once a year and, if necessary, clean and maintain the Works to prevent the excessive build-up of sediments oil/grit, and/or vegetation.
2. The Owner shall prepare/update the operations manual for the Works within six (6) months of completion of construction of the Proposed Works, that includes, but not necessarily limited to, the following information:
 - a. operating procedures for the Works, and house keeping procedures for outdoor storage under normal operating conditions;
 - 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 and calibration of monitoring equipment;

- e. a spill prevention and contingency plan, consisting of procedures and contingency plans, including notification to the District Manager, to reduce the risk of spills of pollutants and prevent, eliminate or ameliorate any adverse effects that result or may result from spills of pollutants;
 - f. procedures for receiving, responding and recording public complaints, including recording any follow-up actions taken.
3. The Owner shall maintain and service the Holding Tank System in such a manner that leaks and spills are prevented.
4. The Owner shall have a valid agreement with a hauled sewage operator who is in possession of a Waste Management Systems Approval, for the disposal of sanitary sewage from the holding tank, on as required basis, and shall keep a copy of the valid Agreement at all times during the operation of Works.
5. The Owner shall ensure that in the event a leakage is observed from the Holding Tank System, the sewage discharge to the holding tank 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 safely collected and disposed of through the licensed sewage hauling service to an approved waste disposal site.
6. The Owner shall maintain a logbook and keep the logbook at the site for inspection by the Ministry staff. The logbook shall include the following:
 - a. the date and results of each inspection, maintenance and cleaning, including an estimate of the quantity of any materials removed from the Stormwater Management Facility and Cooling water discharge system;
 - b. the date, time and volume of the sewage pump out from the Holding Tank System;
 - c. observances (including location) of any leaks and/or spills at or around any component of the Works, including recommendations for remedial action and the actions taken to mitigate the situation.
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 Proposed Works, the Owner shall notify the District Manager (in writing) of the pending start up date of the Works.
2. The Owner shall immediately notify the Ministry's Spills Action Centre of any Works failure or any spills.

Schedule A

1. Application for Environmental Compliance Approval dated March 26, 2019 and received on April 18, 2019 and submitted by Timberwolf Trading Inc. for the proposed stormwater management facilities, as well as non-contact cooling water discharge and holding tank discharge from brewing process, including design briefs, final plans and specifications.

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

1. Condition 1 regarding general provisions is imposed to ensure that the Works are constructed and operated in the manner in which they were described and upon which approval was granted.
2. Condition 2 regarding change of Owner is included to ensure that the Ministry records are kept accurate and current with respect to ownership of the 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 regarding construction of Proposed Works/record drawings is included to ensure that the Works are constructed in a timely manner, and also 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 regarding operation and maintenance is included to require that the Works be properly 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 regarding reporting is included to ensure that the Ministry is made aware of problems as they arise, and to provide a compliance record for this Approval.

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 19th day of December, 2020



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

NH/

c: Area Manager, MECP Windsor Area Office
c: District Manager, MECP Sarnia District Office
Heide Mikkelsen, P. Eng., N. J. Peralta Engineering Ltd.