

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 0623-BX7MQF
Issue Date: March 12, 2021

John Westendorp Enterprises Inc.
2697 County Road 6, Stone Mills,
Ontario, K0K 3N0

Site Location: 2697 County Road 6, Town of Yarker
Stone Mills Township, County of Lennox and Addington
K0K 3N0

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 stormwater management Works for the treatment and disposal of stormwater run-off from a Waste Transfer and Recycling Facility on a catchment area of approximately 0.8 ha., to provide a minimum of normal water quality protection and to attenuate post-development peak flows to pre-development levels, discharging to municipal road side ditch along County Road 1, to finally discharge into Napanee River approximately 500 m downstream, for all storm events up to and including the 100-year return storm, consisting of the following:

Proposed Works-Stormwater Management System

1. Enhanced Grass Swale: 30.m long 1.0.m wide and 150 mm deep enhanced grass swales located at perimeter of the site along with building roof drainage via overland sheet flow into a swale to discharge into an existing ponding area to be converted as described below:
2. Wetland / Ponding Area: a clay lined constructed wetland with a 1.0 m wide 150 mm deep swale inlet, located at the northwest corner of the site, having a total volume of 226.53 cu.m. at 750 mm depth including a permanent volume of 64.4 cu.m. at 300 mm depth and an extended detention volume of 162.0 cu.m.; complete with an outlet control culvert as follows:
 - Outlet control: the pond water to discharge via a 200 mm diameter culvert with a 200 mm diameter ICD with a 100 mm diameter vertical orifice rated at maximum 13.37 L/sec at 450 mm head into a 3.0 m wide 300 mm deep swale; and
 - Overflow spillway: a 3.0 m wide 300 mm deep emergency overflow spillway located on the north-western

bank of the wetland to discharge wetland effluent water into the swale as described earlier;

all water from the site to discharge via the swale into the existing road side ditch along the County Road 1 and ultimately to discharge into the Napanee River approximately 500 m downstream;

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 submitted supporting documents listed **in Schedule A**.

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

1. "Approval" means this entire document and any schedules attached to it, and the application;
2. "District Manager" means the District Manager of the Kingston District Office of the Ministry;
3. "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;
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. "OWRA" means the *Ontario Water Resources Act* , R.S.O. 1990, c. O.40, as amended;
7. "Owner" means John Westendorp Enterprises Inc. and its successors and assignees;
8. "Proposed Works" means the sewage works described in the Owner's application, this Approval, to the extent approved by this Approval;
9. "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 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.

2. EXPIRY OF APPROVAL

The approval issued by 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

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.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 Information Act, R.S.O. 1990, c. C39 shall be included in the notification to the District Manager.

4. OPERATION AND MAINTENANCE.

(1) The Owner shall ensure that the design minimum liquid retention volume(s) is maintained in the wetland at all times.

(2) The Owner shall inspect the Works at least once a year and clean and maintain the Works to prevent the excessive build-up of sediments and/or vegetation.

(3) Within six (6) months from the issuance of this Approval, the Owner shall prepare a spill contingency plan for the site and submit it to the District Manager for review and approval.

(4) 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 Corporate Office for inspection by the Ministry. The logbook shall include the following:

(a) the name of the Works;

(b) the date and results of each inspection, maintenance and cleaning, including an estimate of the quantity of any materials removed; and

(c) the date of each spill within the catchment area, including follow-up actions / remedial measures undertaken.

5. TEMPORARY EROSION AND SEDIMENT CONTROL

(1) The Owner shall install and maintain temporary sediment and erosion control measures during construction and conduct inspections once every **two (2) weeks** and after each significant storm event (a significant storm event is defined as a minimum of 25 mm of rain in any 24 hours period). The inspections and maintenance of the temporary sediment and erosion control measures shall continue until they are no longer required and at which time they shall be removed and all disturbed areas reinstated properly.

(2) The Owner shall maintain records of inspections and maintenance which shall be made available for inspection by the Ministry, upon request. The record shall include the name of the inspector, date of inspection, and the remedial measures, if any, undertaken to maintain the temporary sediment and erosion control measures.

6. POND WATER DISCHARGE MONITORING

1. The Owner shall, upon commencement of operation of the sewage works, carry out a monitoring program, and 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 of the effluent stream over the time period being monitored.
2. Samples shall be collected and analyzed at the sampling point(s), at the sampling frequencies and using the sample type specified for each parameter listed in the monitoring table in **Schedule B**.
3. The methods and protocols for sampling, analysis, toxicity testing, 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" (January 1999), 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.
4. The measurement frequencies specified in the effluent monitoring table in **Schedule B** in respect of any parameter are minimum requirements which may, after (36) months of monitoring in accordance with this Condition, be modified by the District Manager in writing

from time to time.

5. 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.

7. **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 ten (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, oil, solvent, 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 prepare and submit a performance report to the District Manager on an annual basis within sixty (60) days following the end of the period being reported upon. The first such report shall cover the first annual period following the commencement of operation of the Works and subsequent reports shall be submitted to cover successive annual periods following thereafter. The reports shall contain, but shall not be limited to, the following information:

- (a) a description of any operating problems encountered and corrective actions taken;
- (b) a summary of all maintenance carried out on any major structure, equipment, apparatus, mechanism or thing forming part of the sewage works;
- (c) a summary of any effluent quality assurance or control measures undertaken in the reporting period;
- (d) 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 included 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 included 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 included to require that the Works be properly operated and maintained such that the environment is protected.
5. Condition 5 is included as installation, regular inspection and maintenance of the temporary sediment and erosion control measures is required to mitigate the impact on the downstream receiving watercourse during construction until they are no longer required.
6. Condition 6 is included to enable the Owner to evaluate and demonstrate the performance of the Works, on a continual basis, so that the Works are properly operated and maintained at a level which is consistent with the design elements specified in the Approval and that the Works does not cause any impairment to the receiving watercourse.
7. Condition 7 is included 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. Application for Approval of Industrial Sewage Works submitted by Martin Burger, of Groundwork Engineering Limited, dated November 20, 2020;
2. Stormwater Management Design Brief, 2697 COUNTY ROAD 6, TOWN OF YARKER, ONTARIO, Prepared for John Westendorp Enterprises Inc. by Groundwork Engineering Limited, Dated November 2020.

Schedule B

Discharge (Effluent) Monitoring Table - Sampling Point at the Outlet Culvert / Control Manhole

Frequency	Twice annually (Spring and Fall), during a significant rainfall event generating discharge.
Sample Type	Grab
Parameters	Total suspended solids (TSS), Heavy Metals and Total Petroleum Hydrocarbons (TPH).

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

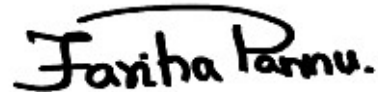
The Director appointed for the purposes of
Part II.1 of the Environmental Protection Act
Ministry of the Environment,
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

*** 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 12th day of March, 2021



Fariha Pannu, P.Eng.

Director

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

MN/

c: District Manager, MECP Kingston - District
Martin Burger, Groundwork Engineering Limited