

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 2197-BTRKSX  
Issue Date: March 15, 2021

Newlife Properties Inc.  
3003 Page St  
London, Ontario  
N5V 4J1

Site Location: 3777 Westminster Drive  
Lot 20, Concession 5  
London City, County of Middlesex

*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:*

establishment of sewage works for the collection, transmission, treatment and disposal of up to 30,000 L/day wash water generated from concrete truck washing for the proposed ready mix concrete operation of the site located at 3777 Westminster Drive, London, ON, and consisting of the following:

- a small wash water collection area located to the east of the first pond and sloped towards the pond for trucks to empty their wash water, discharging to three (3) lined wash water ponds connected in series as described below;
- three (3) lined wash water settling ponds arranged in series to promote sedimentation to reduce the total suspended solids in the wash water, each having an effective volume of 127 m<sup>3</sup> in addition to a 0.3 m freeboard and 0.3 m deep sediment storage, providing a hydraulic retention time around 10 - 12 days based on the maximum projected daily wash water flow of 30,000 L/day;
- one (1) weather resistant pH sensor installed near the outlet of the first pond and operated year-round for pH monitoring of the wash water;
- one (1) weather resistant automatic acid dosing system for pH control of the wash water, consisting of a minimum 100 L Sulfuric Acid Storage Tank with secondary containment, an acid dosing metering pump with a capacity of up to 5 L/h and weather resistant housing for acid storage and metering pump, dosing acid to the first pond;
- riser pipe installed at the outlet of the third wash water pond for the control of water elevation in the ponds

and the final discharge pipe equipped with an isolation valve, discharging the effluent to a storm drainage ditch and ultimately to the on-site pond in the former extraction area of the pit (with no off-site surface discharge);

Including 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 submitted supporting documents listed in Schedule "A" forming part of this Approval.

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

"Approval" means this entire document including the application and any supporting documents listed in any schedules in this Approval;

"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 London 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 Newlife Properties Inc. and its 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, 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) Except as otherwise provided by these terms and conditions, the Owner shall design, build, install, operate and maintain the Works in accordance with this Approval.

(3) Where there is a conflict between a provision of this environmental compliance approval and any

document submitted by the Owner, the conditions in this environmental compliance approval shall take precedence. Where there is a conflict between one or more of the documents submitted by the Owner, the Application shall take precedence unless it is clear that the purpose of the document was to amend the application.

(4) Where there is a conflict between the documents listed in the Schedule A, 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 terms and conditions of this Approval are severable. If any term and condition of this environmental compliance approval, or the application of any requirement of this environmental compliance 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. 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;

(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.

(2) In the event of any change in ownership of the Works, other than a change in ownership to the municipal, i.e. assumption of the Works, the Owner shall notify the succeeding owner in writing of the existence of this Approval, and a copy of such notice shall be forwarded to the District Manager and the Director.

**4. OPERATIONS MANUAL**

(1) The Owner shall prepare an operations manual prior to the commencement of operation of 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.

(2) 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 sewage works. Upon request, the Owner shall make the manual available for inspection and copying by Ministry personnel.

**5. EFFLUENT LIMITS**

(1) The Owner shall design, construct and operate the Works such that the concentrations of the materials named below as effluent parameters are not exceeded in the effluent from the outlet of third wash water pond.

<b>Table 1 - Effluent Limits</b>	
<b>Effluent Parameter</b>	<b>Concentration Limit</b> (milligrams per litre unless otherwise indicated)
Column 1	Column 2
Oil and Grease	15
Total Suspended Solids	25
pH of the effluent maintained between 6.5 to 8.5, inclusive, at all times	

(2) For the purposes of determining compliance with and enforcing subsection (1):

- (a) non-compliance with respect to a Concentration Limit is deemed to have occurred when any single sample analyzed for a parameter named in Column 1 of subsection (1) is greater than the

corresponding maximum concentration set out in Column 2 of subsection (1);

(b) non-compliance with respect to pH is deemed to have occurred when any single measurement is outside of the indicated range.

**6. EFFLUENT - VISUAL OBSERVATIONS**

Notwithstanding any other condition in this Approval, the Owner shall ensure that the effluent from the sewage Works is essentially free of floating and settleable solids and does not contain oil or any other substance in amounts sufficient to create a visible film, sheen or foam on the receiving waters.

**7. OPERATIONS 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.

(2) The Owner shall ensure that the treatment system is at minimum inspected annually and pH sensors and pumps are maintained according to the manufacturer's recommendations;

(3) The Owner shall maintain a logbook to record the results of Operation and Maintenance activities specified in the above subclauses, and shall keep the logbook at the site and make it available for inspection by the Ministry staff.

(4) 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.

**8. EFFLUENT MONITORING AND RECORDING**

The Owner shall, upon commencement of operation of the sewage 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(s), at the sampling frequencies and using the sample type specified for each parameter listed:

<b>Table 2 - Effluent Monitoring</b> (Sampling at the outlet of the third wash water pond)	
<b>Sample Type</b>	Grab and/or online analyzer (pH)
<b>Parameters</b>	Oil and Grease, Total Suspended Solids, pH
<b>Frequency</b>	Quarterly for Oil and Grease, TSS Weekly for pH

(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) in respect of any parameters not mentioned in (a) or (b), the written approval of the District Manager, which approval shall be obtained prior to sampling.

(4) 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.

## **9. SPILL CONTINGENCY AND POLLUTION PREVENTION PLAN**

(1) Within **ninety (90) days** of issuance of the Approval, the Owner shall develop a Spill Contingency and Pollution Prevention Plan that outlines procedures as to how to mitigate the impacts of a spill within the area serviced by the Works and prevent pollution incidents, and provide a copy to the District Manager. The said plan shall include as a minimum, but not limited to:

- (a) the name, job title and location (address) of the Owner, person in charge, management or control of this industrial site;
- (b) the name, job title and 24-hour telephone number of the person(s) responsible for activating the Spill Contingency and Pollution Prevention Plan;
- (c) a site plan drawn to scale showing the facility, nearby buildings, streets, catch basins & manholes, drainage patterns (including direction(s) of flow in storm sewers) and any features which need to be taken into account in terms of potential impacts on access and response (including physical obstructions and location of response and clean-up equipment);
- (d) steps to be taken to report, contain, clean up and dispose of contaminants following a spill;

(e) a listing of telephone numbers for: local clean-up companies who may be called upon to assist in responding to spills; local emergency responders including health institution(s); and MOE Spills Action Centre 1-800-268-6060;

(f) Materials Safety Data Sheets (MSDS) for each and every hazardous material which may be transported or stored within the area serviced by the Works;

(g) the means (internal corporate procedures) by which the Spill Contingency and Pollution Prevention Plan is activated;

(h) a description of the spill response and pollution prevention training provided to employees assigned to work in the area serviced by the Works, the date(s) on which the training was provided and to whom;

(i) an inventory of response or remedial measures and clean-up equipment available to implement the Spill Contingency and Pollution Prevention Plan, location and date of maintenance/replacement if warranted, including testing and calibration of the equipment; and

(j) the date on which the Spill Contingency and Pollution Prevention Plan was prepared and subsequently, amended.

(2) The Owner shall implement the Spill Contingency and Pollution Prevention Plan in case of a spill within the area serviced by the Works.

(3) The Spill Contingency and Pollution Prevention Plan shall be kept in a conspicuous place near the reception area on site.

(4) The Spill Contingency and Pollution Prevention Plan will be amended from time to time as needed by changes in the operation of the facility or to reflect updates in the Municipal By-Laws, or improved Best Management Practices by the Owner.

## **10. REPORTING**

(1) The Owner shall report to the District Manager or designate, any exceedance of any parameter specified in Condition 5 orally, as soon as reasonably possible, and in writing within seven (7) days of the exceedance.

(2) In addition to the obligations under Part X of the Environmental Protection Act, 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 90 (ninety) 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 summary and interpretation of all monitoring data and a comparison to the effluent limits outlined in Condition 5, and water level and discharge flow data including an overview of the success and adequacy of the sewage 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) any other information the District Manager may require 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 constructed and operated in the manner in which they were described 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. It 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.
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 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 plant operation 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.
5. Conditions 5 and 6 are imposed to ensure that the effluent discharged from the Works to the environment meets the Ministry's effluent quality requirements thus minimizing environmental impact on the receiver and to protect water quality, fish and other aquatic life in the receiving water body.
6. Condition 7 is included to require that the Works be properly operated and maintained such that the environment is protected.
7. Condition 8 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 objectives specified in the Approval and that the Works do not cause any impairment to the receiving watercourse.
8. Condition 9 is included to ensure that the Ministry is immediately informed of the occurrence of an emergency or otherwise abnormal situation so that appropriate steps are taken to address the immediate concerns regarding the protection of public health and minimizing environmental damage and to be able to devise an overall abatement strategy to prevent long term degradation and the re-occurrence of the situation.

9. Condition 10 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 Approval of Industrial Sewage Works, dated April 24, 2020 and received on May 5, 2020, and submitted by MTE Consultants Inc. on behalf of Newlife Properties Inc.;
2. Wash Water System Design Report, dated May 1, 2020, along with drawings, prepared by MTE Consultants Inc.;
3. Additional information submitted to the Ministry on February 26, 2021 by Dave Wilhelm, P.Eng. from MTE Consultants 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

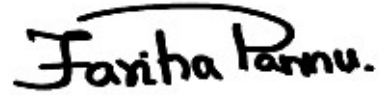
The Director appointed for the purposes of  
Part II.1 of the Environmental Protection Act  
Ministry of the Environment,  
Conservation and Parks  
135 St. Clair Avenue West, 1st Floor  
Toronto, Ontario  
M4V 1P5

**\* 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 15th day of March, 2021



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Fariha Pannu, P.Eng.

Director

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

YZ/

c: District Manager, MECP London - District Office  
Dave Wilhelm, MTE Consultants Inc.