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Ministry of the Environment, Conservation and Parks  
Ministère de l'Environnement, de la Protection de la nature et des Parcs

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 4559-BUKKTF

Issue Date: February 26, 2021

Whitestone Aggregates Inc.  
243 Esker Rd (Omeme)  
Omeme, Ontario  
K0L 2W0

**Site Location:** Whitestone Aggregates - Laverne Quarry  
2591 Eagle Lake Rd  
Dysart et al Township, County of Haliburton

*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 collection, transmission, treatment, disposal and reuse of wash water from a proposed aggregate wash plant at the above mentioned Site Location, consisting of the following:

primary settling pond with a bottom area of approximately 30 metres by 16 metres and an approximate pond volume of 1,680 cubic metres at a depth of 4 metres, complete with a compacted liner made of local low permeability silt and silty-clay material and perimeter containment berm, receiving wash water from the portable aggregate wash plant, comprised of a turbidity curtain/silt screen and connected to the secondary settling pond via a 525 millimetre diameter pipe;

secondary settling pond with a bottom area of approximately 56 metres by 21 metres and an approximate pond volume of 3,528 cubic metres at a depth of 4 metres, complete with a compacted liner made of local low permeability silt and silty-clay material and perimeter containment berm, equipped with an overflow outlet culvert discharging via a drainage swale to the existing marsh located northwest of the site, ultimately to the Unnamed Lake;

including all other controls, electrical equipment, instrumentation, piping, pumps, valves and appurtenances essential for the proper operation of the aforementioned sewage works.

all in accordance with the submitted supporting documents in Schedule A.

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

*apply:*

1. "Approval" means this environmental compliance approval, any schedules attached to it, and the Application;
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. "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. "Owner" means Whitestone Aggregates Inc., and includes its successors and assignees;
7. "OWRA" means the *Ontario Water Resources Act, R.S.O. 1990, c. O.40*, as amended; and
8. "Works" means the sewage works described in the 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 CONDITIONS**

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 Approval and any document submitted by the Owner, the conditions in this 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 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. EXPIRY OF APPROVAL

1. 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 address of Owner or operating authority;
  - b. change of Owner or operating authority or both, including address of new Owner or operating authority, or both;
  - c. change of partners where the Owner or operating authority 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*; and
  - d. change of name of the corporation where the Owner or operator

is or at any time becomes a corporation, and a copy of the "Initial Return" or "Notice of Change" filed under the *Corporations Information Act, R.S.O. 1990, c. C.39*, 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.
3. The Owner shall ensure that all communications made pursuant to this condition refer to the number at the top of this environmental compliance approval.

#### **4. OPERATION AND MAINTENANCE**

1. The Owner shall prepare an operations manual prior to the construction, use and operation of the Works that includes, but is not 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 to be 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 a potential spill, bypasses or any other abnormal situations, including notifying the District Manager of the situation; and
  - e. procedures for receiving and responding to public complaints.
2. The Owner shall ensure that the Works and related equipment and appurtenances which are installed or used to achieve compliance with this Approval are properly operated and maintained.
3. During the period when aggregate washing is occurring, the Owner shall visually inspect the amount of sediment accumulating in the wash plant settling pond on a weekly basis. The Owner shall remove the sediment, if necessary, to ensure continued suspended solids removal performance of the wash plant settling ponds.
4. The Owner shall, upon identification of a loss of oil and fuel, take immediate action to prevent the further occurrence of such loss and prevent the spill from entering into the settling ponds.
5. The Owner shall ensure that equipment and material for the containment, clean-up

and disposal of oil and fuel and materials contaminated with oil or fuel are kept on hand and in good repair for immediate use in the event of:

- a. loss of oil or fuel during refuelling or equipment maintenance;
- b. a spill within the meaning of Part X of the Environmental Protection Act; and/or
- c. the identification of an abnormal amount of oil or fuel in the settling ponds.

5.

## 6. EFFLUENT LIMIT

1. The Owner shall construct, operate and maintain the Works such that the concentrations of the materials listed as effluent parameters in the effluent limits table in **Schedule B** are not exceeded in the effluent from the Works.
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 (composite, grab) sample analyzed for a parameter named in Column 1 of the Effluent Limits Table listed in **Schedule B** is greater than the corresponding maximum concentration set out in Column 2 of the Effluent Limits Table listed in **Schedule B**.

## 7. EFFLUENT - VISUAL OBSERVATIONS

1. Notwithstanding any other condition in this Approval, the Owner shall ensure that the effluent from the 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.
2. Notwithstanding any other condition in this Approval, the Owner shall ensure that the effluent from the Works shall not cause flooding or erosion to the downstream receivers.

## 8. EFFLUENT MONITORING AND RECORDING

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 and quantity 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 effluent monitoring table included 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;
  - c. the Environment Canada publications "Biological Test Method: Reference Method for Determining Acute Lethality of Effluents to Rainbow Trout" (EPS 1/RM/13 Second Edition - December 2000) and "Biological Test Method: Reference Method for Determining Acute Lethality of Effluents to *Daphnia magna*" (EPS 1/RM/14 Second Edition - December 2000), as amended from time to time by more recently published editions.
4. The measurement frequencies and analytical parameters specified in **Schedule B** in respect of any parameter are minimum requirements which may, after **12 months** of monitoring in accordance with this Condition, be modified by the Director 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.

## 9. REPORTING

1. The Owner shall report to the District Manager or designate, any exceedence of any parameter specified in Condition 4 orally, as soon as reasonably possible, and in writing within **seven (7) days** of the exceedence.
2. In addition to the obligations under Part X of the EPA, 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, 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 30 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 4, 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. 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 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 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. Condition 1.6 is included to emphasize that the issuance of this Approval does not diminish any other statutory and regulatory obligations to which the Owner is subject in the construction, maintenance and operation of the Works. The Condition specifically highlights the need to obtain any necessary conservation authority approvals. The Condition also emphasizes the fact that this Approval doesn't limit the authority of

the Ministry to require further information.

2. Condition 2 is included to ensure that, when the Works are constructed, the Works will meet the standards that apply 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 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.
4. Condition 4 is included as regular inspection and necessary removal of sediment and excessive decaying vegetation from the Works are required to mitigate the impact of sediment, debris and/or decaying vegetation on the treatment capacity of the Works. The Condition also ensures that adequate storage is maintained in the Works at all times as required by the design. Furthermore, this Condition is included to ensure that the Works are operated and maintained to function as designed.
5. Condition 6 is included to require the Owner to demonstrate that the quality and quantity of the effluent from the approved works is consistent with the design objectives specified in the Approval and that the approved works does not cause any impairment to the natural environment.\
6. Condition 5 and 6 are imposed to ensure that the effluent discharged from the Works to the receiver meets the Ministry's effluent quality requirements thus minimizing environmental impact on the receiver.
7. Condition 7 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. Environmental Compliance Approval Application for Industrial Sewage Works submitted and signed by Mark Lowes, President of Whitestone Aggregates Inc., received June 16, 2020, and all supporting documentation and information.

## **Schedule B**

**Table 1 - Effluent Limits**

(Measured at the discharge outlet from the Secondary Settling Pond)

<b>Effluent Parameter</b>	<b>Concentration Limit</b>
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	<b>(milligrams per litre unless otherwise indicated)</b>
Column 1	Column 2
Total Suspended Solids	25

**Table 2 - Effluent Monitoring**

(Measured at the discharge outlet from the Secondary Settling Pond)

<b>Frequency</b>	Monthly <sup>1</sup>
<b>Sample Type</b>	Grab
<b>Parameters</b>	Total Suspended Solids, Oil & Grease, Total Ammonia <sup>2</sup> Field Measurements <sup>3</sup> pH, Temperature, Conductivity, Turbidity

Note:

<sup>1</sup> Monthly during months that discharge occurs;

<sup>2</sup> Total Ammonia shall be used with the pH (measured in the field) and the Temperature (measured in the field) to calculate the effluent Unionized Ammonia concentration;

<sup>3</sup> Measured and recorded in the field at the time of sampling.

*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 26th day of February,  
2021

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

JY/

c: District Manager, MECP Peterborough  
Lisa Gardiner, WSP Canada Inc.