

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER A-500-7102515927

Version: 1.0

Issue Date: June 24, 2021

Pursuant to section 20.3 of the Environmental Protection Act, R.S.O. 1990, c. E. 19 and subject to all other applicable Acts or regulations this Environmental Compliance Approval is issued to:

SCHUYLER FARMS LIMITED

383 CONCESSION 14 TOWNSEND
CONCESSION
SIMCOE ONTARIO
N3Y 4K3

For the following site:

383 Concession 14 Townsend
Simcoe, Ontario
N3Y 4K3

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:

Expansion/modification of existing on-site sewage works servicing a large fruit growing operation that employs a large number of off-shore seasonal workers living in seven (7) bunkhouses (Buildings #1 - #7), located at 383 Concession 14 Townsend, Simcoe, Ontario, with a total maximum daily sanitary sewage flow of 45,975 L/d, and consisting of the following:

Existing Sewage System #1

An existing on-site sewage system to serve a bunkhouse (Building #1) with 46 workers and an office (Building #2) with 10 employees, designed to treat sewage at a maximum daily flow of 9,975 L/d, consisting of the following:

- two (2) concrete septic tanks, each with a capacity of 13,600 L and equipped with one (1) effluent filter on the outlet, each discharging by gravity to two raised filter beds as described below;
- four (4) raised filter beds, each rated at 2,494 L/day and 50 square metres in size, having a total contact area of 90 square metres, consisting six (6) runs of 10 metres long 76 mm diameter perforated distribution pipes (total of 240 m for four beds), installed in a continuous 300 millimetre deep layer of clear stone over a minimum of 750 millimetre layer of filter media sand, with a mantle of imported sand fill (250 mm layer sand having a percolation rate T of 6 to 10 cm/min);

Existing Sewage System #2

An existing on-site sewage system to serve a bunkhouse (Building #3) with 30 workers, designed to treat sewage at a maximum daily flow of 6,000 L/d, consisting of the following:

- one (1) concrete septic tank with a capacity of 13,650 L, equipped with one (1) effluent filter on the outlet, discharging by gravity to a raised absorption trench leaching bed as described below;
- one (1) absorption trench leaching bed rated for 6,000 L/day, with the bottom of trenches maintaining a minimum distance of 900 millimetres from the high ground water table, consisting of ten (10) runs of 30.5 m perforated distribution pipe (305 m total), spaced 1.6 m apart from centre to centre and laid in a 300 mm clear stone layer of absorption trenches, overlying a 900 mm deep native sand layer having a percolation time of 8 min/cm;

New Sewage System

A new sewage system to replace the old sewage systems #3 and #4, servicing four bunkhouses (Buildings #4 - #7) with current 80 workers, 10 employees with shower access, and future 63 occupancies, designed to treat sewage at a maximum daily flow of 30,000 L/d, consisting of the following:

- one (1) new concrete septic tank with a capacity of 6,800 L, equipped with one (1) effluent filter on the outlet and one (1) 675 L pump chamber, receiving sewage from Building #4 with occupancy of 12 workers and discharging via its pump chamber to the main pump chamber as described below;
- one (1) new concrete septic tank with a capacity of 29,500 L, equipped with one (1) effluent filter on the outlet and one (1) 1,800 L pump chamber, receiving sewage from Building #5 with occupancy of 38 workers and Building #6 with occupancy of 30 workers, and discharging via its pump chamber to the main pump chamber as described below;
- one (1) new concrete septic tank with a capacity of 4,500 L, equipped with one (1) effluent filter on the outlet and one (1) 675 L pump chamber, receiving sewage from Building #7 with future maximum occupancy of 11 workers, and discharging via its pump chamber to the main pump chamber as described below;
- one (1) new concrete septic tank with a capacity of 29,500 L, equipped with one (1) effluent filter on the outlet, receiving sewage from five trailers with future maximum occupancy of 52 workers, and discharging by gravity to the main pump chamber as described below;
- one (1) new 15,900 L main pump chamber, equipped with three (3) Pumps rated 100 L/min at 4 m TDH and an alternating demand triplex control panel, receiving raw sewage from all the pump tanks associated with the four bunkhouses and five trailers, discharging via a 50 mm OD forcemain to the absorption trench leaching beds as described below;
- six (6) absorption trench leaching beds, each rated for 5,000 L/day (total of 30,000 L/day), with the bottom of trenches maintaining a minimum distance of 900 millimetres from the high ground water table, each consisting of eight (8) runs of 25 m perforated distribution pipe (200 m for each bed),

spaced 1.5 m apart from centre to centre and laid in a 300 mm clear stone layer of absorption trenches, overlying a 900 mm deep native sand layer having a percolation time of 8 min/cm;

including all other mechanical system, electrical system, instrumentation and control system, standby power system, piping, pumps, valves and appurtenances essential for the proper, safe and reliable operation of the Works in accordance with this Approval, in the context of process performance and general principles of wastewater engineering only;

All in accordance with the supporting documents set out in Schedule "A" attached to this Approval.

DEFINITIONS

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

1. "Act" means the Ontario Water Resources Act, R.S.O. 1990, Chapter O.40, as amended;
2. "Approval" means this entire document and any schedules attached to it, and the application;
3. "BOD5" (also known as TBOD5) means five day biochemical oxygen demand measured in an unfiltered sample and includes carbonaceous and nitrogenous oxygen demand;
4. "CBOD5" means five day carbonaceous (nitrification inhibited) biochemical oxygen demand measured in an unfiltered sample;
5. "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;
6. "District Manager" means the District Manager of the Hamilton District Office;
7. "EPA" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;
8. "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;
9. "Owner" means Schuyler Farms Limited and its successors and assignees;
10. "OWRA" means the Ontario Water Resources Act, R.S.O. 1990, c. O.40, as amended;
11. "Works" means the sewage works described in the Owner's application, and this Approval, and includes Proposed Works.

TERMS AND CONDITIONS

You are hereby notified that this environmental compliance approval is issued to you subject to the terms and conditions outlined below:

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.

2. EXPIRY OF APPROVAL

(1) 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

(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 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.

4. CONSTRUCTION

(1) Upon construction of the Works, the Owner shall prepare a statement, certified by a Licensed Installer or a Professional Engineer, that the Works are constructed in accordance with this Approval, and upon request, shall make the written statement available for inspection by Ministry staff and staff of the local municipality.

(2) The Owner shall retain a set of as-built drawings on-site for the new septic system for inspection by Ministry staff, and make available upon request.

5. MONITORING AND RECORDING

The Owner shall, upon commencement of operation of the 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 at the required sampling points, at the frequency specified or higher, by means of the specified sample type and analyzed for each parameter listed in the tables under the monitoring program included in Schedule 2 and record all results.

(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 Procedure F-10-1, "Procedures for Sampling and Analysis Requirements for Municipal and Private Sewage Treatment Works (Liquid Waste Streams Only), as amended from time to time by more recently published editions;
- b. 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;
- c. the publication "Standard Methods for the Examination of Water and Wastewater" (21st edition), as amended from time to time by more recently published editions.
- d. for any parameters not mentioned in the documents referenced in a, b and c, the written approval of the District Manager shall be obtained prior to sampling.

(4) The temperature, pH, conductivity, and groundwater levels shall be determined in the field. The concentration of un-ionized ammonia shall be calculated using the total ammonia concentration, pH and temperature using the methodology stipulated in "Ontario's Provincial Water Quality Objectives" dated July 1994, as amended, for ammonia (un-ionized).

(5) The Owner shall measure/record the daily volume of effluent being discharged to the sewage treatment systems, or estimate the daily sewage volume by recording the daily water consumption for each building.

(6) Groundwater and Surface Water Monitoring shall continue for five years and the frequency may be amended thereafter based on justification provided by a qualified hydrogeologist / geoscientist (P.Ge. or P.Eng.) and a review of the data by the Ministry.

(7) Prior to field installation, the locations and installation details of the three new groundwater monitoring wells shall be submitted to the District Manager for approval.

(8) Within three (3) months of issuance of this Approval, the UTM co-ordinates of the six (6) groundwater monitoring wells as well as the two (2) surface water monitoring stations shall be provided to the District Manager.

(9) 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.

6. OPERATIONS AND MAINTENANCE

(1) As soon as the monitoring results are available, the Owner shall review the results from the three

- (3) groundwater monitoring wells down gradient of the disposal beds (BH-01-18, BH-08-21, and BH-09-21) and assess against the **trigger parameter and trigger concentration** outlined in Table 4 of Schedule 3.
- (2) Phosphorous removal system shall be installed if the total phosphorus (TP) concentration in any of the three (3) monitoring wells exceeds 1.0 mg/L for two consecutive sampling events.
- (3) In the event of 2 consecutive TP exceedances, the TP removal system shall be installed prior to the commencement of the next operating season.
- (4) The Owner shall prepare an Operations Manual within six (6) months of the issuance of this Approval, that includes, but is not necessarily limited to, the following information:
- a. operating procedures for routine operation of the Works;
 - b. procedures for the inspection and calibration of monitoring equipment;
 - c. inspection programs, including frequency of inspection, for the Works and the methods or tests employed to detect when maintenance is necessary.
 - d. repair and maintenance programs, including the frequency of repair and maintenance for the sewage Works;
 - e. contingency plans and procedures for dealing with equipment breakdowns, potential spills and any other abnormal situations, including notification of the District Manager; and
 - f. complaint procedures for receiving and responding to public complaints.
- (5) The Owner shall maintain the Operations Manual current and retain a copy at the location of the Works for the operational life of the Works. Upon request, the Owner shall make the manual available to Ministry staff.
- (6) 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.
- (7) The Owner shall ensure that the septic tank(s) is pumped out every 3-5 years or when the tank is 1/3 full of solids and the effluent filter(s) is cleaned out at minimum once a year (or more often if required).
- (8) The Owner shall ensure that grass-cutting is maintained regularly over the subsurface disposal beds, and that adequate steps are taken to ensure that the area of the underground works is protected from vehicle traffic.
- (9) The Owner shall ensure that the drainage operations in the subsurface disposal bed on the property are observed on a monthly basis for breakouts and results recorded in a log book.
- (10) In the event a break-out is observed from a subsurface disposal bed, the Owner shall ensure that the sewage discharge to the bed is discontinued and the incident immediately reported verbally to the District Manager, followed by a written report within one (1) week. 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 a licensed waste hauler to an approved waste disposal site.
- (11) The Owner shall employ for the overall operation of the Works a person who possesses the level of training and experience sufficient to allow safe and environmentally sound operation of the Works.

(12) The Owner shall maintain a physical or digital logbook to record the results of Operation and Maintenance activities specified in the above subclauses, and shall make the logbook available for inspection by the Ministry staff.

(13) 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) The Owner shall report to the District Manager or designate, any exceedence of the concentration of trigger parameter specified in Condition 6 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 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, 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, by March 31 of the year following the end of the calendar year being reported upon. 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 trigger parameter and concentration outlined in Condition 6, including an overview of the success and adequacy of the 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 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. a description of efforts made and results achieved in meeting the trigger parameter of Condition 6.
- g. a summary of any complaints received during the reporting period and any steps taken to address the complaints;
- h. any other information the District Manager requires from time to time.

REASONS

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

1. 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, 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 to ensure that the Works are constructed in accordance with the approval and that record drawings of the Works "as Constructed" are maintained for future references.

5. Condition 5 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 does not cause any impairment to the receiving watercourse.

6. Condition 6 is included to require that the Works be properly operated, maintained, and equipped such that the environment is protected. As well, the inclusion of an operations manual, maintenance agreement with the manufacturer for the treatment process/technology and a complete set of "as constructed" drawings 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 information 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.

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.

APPEAL PROVISIONS

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 <https://olt.gov.on.ca/tribunals/ert/about-the-ert/>**

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 www.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 24th day of June, 2021



Fariha Pannu

Director

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

c: Ryan Schuyler, WOOLLEYS' LAMB

The following schedules are a part of this environmental compliance approval:

SCHEDULE 1

1. Environmental Compliance Approval Application for Municipal and Private Sewage Works, submitted by Schuyler Farms Limited, received at the Ministry on October 23, 2020.
2. Design Brief - Wastewater Treatment System Expansion, dated April 14, 2021 and prepared by BOS Engineering & Environmental Services Inc.
3. Wastewater Impact Assessment Report dated February 21, 2020, prepared by R. J. Burnside & Associates Limited.
4. Additional monitoring information provided by R. J. Burnside & Associates Limited on June 3, 2021.

SCHEDULE 2

Table 1 - Raw Sewage Monitoring

(Samples to be collected at the outlet of the septic tank)

Frequency	Two times during operating season: one event in July and one event in September
Sample Type	Grab
Parameters	Total BOD ₅ , Total Suspended Solids, Total Kjeldahl Nitrogen, Total Phosphorus, Alkalinity Field Parameters: Temperature, pH

Table 2 - Groundwater Quality Monitoring

Location	BH-01-18, BH03-18, BH-06-18, BH-08-21 (down gradient of Disposal Bed D), BH-09-21 (down gradient of the proposed disposal bed), BH-10-21 (upgradient of the proposed disposal bed)
Frequency	Three times during operating season: one event in March, one event in July and one event in September
Sample Type	Grab
Parameters	Total Kjeldahl Nitrogen, Total Ammonia Nitrogen (ammonia-nitrogen plus ammonium-nitrogen), Nitrate Nitrogen, Nitrite Nitrogen, Total Phosphorus, Orthophosphate, Total Suspended Solids, Un-ionized Ammonia (calculated) Field Parameters: Temperature, pH, Conductivity, Dissolved Oxygen, and Water level

Table 3 – Surface Water Quality Monitoring

Location	SW1 (Upstream) SW2 (Downstream)
Frequency	Three times during operating season: one event in March, one event in July and one event in September

Sample Type	Grab
Parameters	Total Kjeldahl Nitrogen, Total Ammonia Nitrogen (ammonia-nitrogen plus ammonium-nitrogen), Nitrate Nitrogen, Nitrite Nitrogen, Total Phosphorus, Orthophosphate, Total Suspended Solids, un-ionized Ammonia (calculated), E.coli, Total BOD, and cBOD ₅ Field Parameters: Temperature, pH, Conductivity, and Dissolved Oxygen

SCHEDULE 3

Table 4 - Trigger Parameters

Parameter	Trigger Concentration (mg/L)
Total Phosphorus	>1.0