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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 9442-C24PQ5

Issue Date: August 27, 2021

2039641 Ontario Inc.
17610 Highway 101 East
Connaught, Ontario
P0N 1A0

Site Location: SE ¼ of the N½ of Lot 4, Concession 1
Geographic Township of German
City of Timmins, District of Cochrane

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 use and operation of a Hauled Sewage Dewatering Trench Site that includes three (3) Dewatering Trenches receiving no more than 700 cubic metres of Hauled Sewage on an annual basis.

Note: Use of the site for any other type of waste is not approved under this environmental compliance approval, and requires obtaining a separate approval amending this environmental compliance approval.

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

1. "Act" means the *Environmental Protection Act*, R.S.O. 1990, c. E.19, as amended;
2. "Approval" means this entire Environmental Compliance Approval including its schedules, issued under section 20.3 of II.1 of the Act;
3. "CWA" means the *Clean Water Act, 2006*, S.O. 2006, c. 22, as amended.
4. "Commercial, community or institutional use" means any commercial, community or institutional use, including without limitation the use of land for:
 - i. an office building;
 - ii. a hotel, motel, hostel or similar type of accommodation;

- iii. an overnight camp or overnight campgrounds;
- iv. indoor recreational or sporting activities;
- v. indoor gatherings for civic, religious or social purposes;
- vi. indoor performing arts activities;
- vii. a railway station, airport passenger terminal or other embarkation or debarkation point for travellers;
- viii. a day care centre;
- ix. educational purposes, including a school, college, university, private career college or associated residence;
- x. a health care facility; or
- xi. a penitentiary, jail or other place of custody or detention.

- 5. "Company" or "Operator" means 2039641 Ontario Inc., or its agents or assignees;
- 6. "Dewatering Trench" means an excavation made into the earth where Hauled Sewage can be temporarily disposed of. The excavation is designed to promote the exfiltration of effluent into the surrounding shallow ground surface leaving behind organic and inorganic solids;
- 7. "Director" means a person appointed by the Minister pursuant to Section 5 of the Act;
- 8. "District Manager" means the District Manager of the Ministry for the geographic area in which a Site is located;
- 9. "Hauled Sewage" is as defined in R.R.O. 1990, Reg. 347, made under the Act, as amended from time to time;
- 10. "Ministry" means the Ministry of the Environment, Conservation and Parks;
- 11. "NMA" means the *Nutrient Management Act, 2002*, S.O. 2002, c. 4, as amended;
- 12. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;
- 13. "PA" means the *Pesticides Act*, R.S.O. 1990, c. P11, as amended;
- 14. "Sensitive Use" means Commercial, community or institutional uses, and locations at which people regularly congregate;
- 15. "Site" means the location approved to receive Hauled Sewage under the Approval; and
- 16. "Surface Water" means water found in lakes, ponds, rivers, streams, wetlands, swamps, artificial watercourses, intermittent watercourses and seasonally wet

areas, including ditches and swales.

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

1. The requirements of this Approval are severable. If any requirement of this Approval, or the application of any requirement of this Approval to any circumstance, is held invalid, the application of such requirement to other circumstances and the remainder of this Approval shall not be affected in any way.
2. The requirements specified in this Approval are the requirements under the Act. The issuance of this Approval in no way abrogates the Company's legal obligations to take all reasonable steps to avoid violating other applicable provisions of this legislation and other legislation and regulations.
3. The issuance of, and compliance with the conditions of the Approval does not:
 - a. relieve any person of any obligation to comply with any provision of any applicable statute, regulation, by-law or other legal requirement; or
 - b. limit in any way the authority of the Ministry to require that certain actions be taken by 2039641 Ontario Inc. or to require 2039641 Ontario Inc. to furnish any further information related to compliance with the Approval.
4. Except as otherwise provided by these conditions, the Site shall be operated in accordance with the application submitted for the Approval and with the supporting documentation submitted to the Ministry as part of the application, all listed in Schedule "A".
5. The Company, any owner of the property comprising the Site and the Operator shall ensure the Site is operated in accordance with these conditions.
6. Where there is a conflict between a provision of any document referred to in Schedule "A", and the other conditions of this Approval,

the other conditions of this Approval shall take precedence.

7. Where there is a conflict between the documents listed in Schedule "A", the document bearing the most recent date shall prevail.
8. The Company and all owners or operators of the Site shall ensure that it is constructed and operated in accordance with these conditions.
9. The Company shall ensure that any communication/correspondence made in relation to the Site or to this Approval includes reference to this Approval number.
10. The Company shall notify the Director and District Manager in writing of any of the following changes within thirty (30) days of the change occurring:
 - a. change of Company or Operator of the Site or both;
 - b. change of address or contact information of the new Company or operator;
 - c. change of the owner of the property comprising the Site;
 - d. change of partners where the Company or operator is or at any time becomes a partnership, and a copy of the most recent declaration filed under the Business Names Act, 1991 shall be included in the notification to the Director; and
 - e. any change of name of the corporation where the Company or operator is or at any time becomes a corporation, and a copy of the most current "Initial Notice or Notice of Change" (Form 1 or 2 of Ontario Regulation 182, as amended from time to time), filed under the Corporations Information Act shall be included in the notification to the Director.
11. In the event of any change in ownership of the Site, the Company shall forthwith notify in writing the succeeding owner of the existence of this Approval, and provide the successor with an up-to-date copy of this Approval and a copy of such notice shall forthwith be forwarded to the Director and District Manager.

2. DESIGN AND CONSTRUCTION REQUIREMENTS

All Dewatering Trenches constructed at the Site shall meet the following design and construction standards.

1. Each trench shall be no longer than 75 metres, no wider than 3 metres, and no deeper than 1 metre.
2. For each trench, a minimum separation distance of 1.5 metre shall be maintained between the water table and the lowest point of the bottom of the trench.
3. For each trench, a minimum separation distance of 3.0 metres shall exist between the bedrock and the lowest point of the bottom of the trench.
4. For each trench, the bottom of the trench shall be graded to slope away from the location where Hauled Sewage is discharged into the trench.
5. The slope of the bottom of each trench shall not exceed 1 (vertical) to 75 (horizontal).
6. Individual trenches shall be situated a minimum of 5 metres apart from all other trenches.
7. For each trench, there shall be a minimum separation distance of at least 100 metres to the nearest up-gradient or cross-gradient drinking water well(s).
8. For each trench, there shall be minimum separation distance of at least 500 metres to the nearest down-gradient drinking water well(s).
9. For each trench, there shall be a minimum separation distance of at least 300 meters to the nearest Surface Water.
10. For each trench, there shall be a minimum separation distance of at least 500 metres to the nearest Sensitive Use.
11. All reasonable measures shall be taken to maintain a continuous, well-established vegetative cover between each trench.
12. For each trench, the ground in the vicinity of the trench shall be graded in a manner to prevent surface water from entering the trench.
13. No new Dewatering Trench shall be constructed without first completing the following:
 - a. determining the location of all field drainage tiles or piped municipal drains within 300 metres of any trench;
 - b. removing all drainage tiles within 300 metres of any trench; and
 - c. redirecting the flow of the field drainage system or piped municipal drain away from the trench.

14. Where drainage tiles are located within 300 metres of any existing Dewatering Trench, the following actions shall be taken before any further Hauled Sewage is discharged into the trench:
 - a. all drainage tiles within 300 metres of any trench shall be removed; and
 - b. the flow of the field drainage system or piped municipal drain shall be redirected to drain away from the trench.

3. SPILL PREVENTION AND COMPLAINT PROCEDURES

1. Prior to initiating the operations at the Site authorized by the Approval, the Company shall develop written procedures covering the following:
 - a. spill prevention procedures, including procedures to clean up spills when they occur;
 - b. procedures for reporting to the Ministry, and municipal authorities as required;
 - c. inspection programs for the Site;
 - d. complaint procedures for receiving and responding to public complaints, including what steps the Company took to determine the cause of the complaint and what corrective measures were taken to alleviate the cause and prevent its recurrence;
 - e. a list of the personnel responsible for the operation of the Site, along with the training these personnel have received; and,
 - f. a list of equipment, material and personnel that will be available to deal with spills.
2. The Company shall ensure that all personnel involved in the operation of the Site are aware of the requirements of this Approval and are trained in the procedures outlined in this condition.

4. OPERATIONS

1. (i) The Company shall take steps to minimize and ameliorate any adverse effect on the natural environment or impairment of water quality resulting from the Site, including such accelerated or additional monitoring as may be necessary to determine the nature and extent of

the effect or impairment.

(ii) Despite the Company or any other person fulfilling any obligations imposed by this Approval, the person remains responsible for any contravention of any other condition of this Approval or any applicable statute, regulation, or other legal requirement resulting from any act or omission that caused the adverse effect to the natural environment or impairment of water quality.

2. The Owner shall operate and maintain the Site such that vermin, vectors, odour, dust, litter, noise or traffic do not result in an adverse effect.
3. Overflows, spills and upsets that cause an adverse effect, spills that are likely to enter or enter any waters, as defined in the OWRA, directly or through drainage structures, or spills of greater than 100 litres on land accessible by the public shall be immediately reported to the Ministry's Spills Action Centre at (416) 325-3000 or 1-800-268-6060 and the Company shall take appropriate remedial action to limit the impact. Information regarding all spills shall be recorded in the log book, referred to in Condition 6 of this Approval.
4. Hauled Sewage that is suitable for disposal in a Dewatering Trench at the Site must be domestic waste that is human body waste, toilet or other bathroom waste, waste from other showers or tubs, liquid or water borne culinary or sink waste or laundry waste, and must not include any of the following:
 - a. grease removed from grease traps from commercial, institutional or industrial kitchens such as restaurants;
 - b. liquid or solid material removed from the first compartment of multiple-compartment septic tanks used by commercial, institutional or industrial kitchens which do not have grease traps;
 - c. wastewater or wastes from washing machines located at industrial laundries;
 - d. wastewater resulting from manufacturing or production processes; and
 - e. wastewater containing any appreciable amount (i.e. >10%) of the wastes listed under (a) to (d) inclusive.
5. The maximum total volume of Hauled Sewage that can be discharged into the Dewatering Trenches at the Site in any twelve (12) month period shall not exceed 700 cubic meters.

6. Prior to discharging Hauled Sewage into any Dewatering Trench at the Site, the Operator shall conduct a visual survey of all lands adjacent to the Site for the purpose of determining if any new drinking water wells or Sensitive Uses have been established within the setback distances described in Condition 2.
7. In the event a well or Sensitive Use is identified on lands adjacent to the Site within the setback distances described in Condition 2, the Operator shall immediately cease discharging Hauled Sewage into any Dewatering Trench at the Site until the following takes place:
 - a. The Operator notifies the District Manager in writing of the fact that the survey conducted pursuant to Condition 4(6) identified a drinking water well or Sensitive Use on adjacent lands within the setback distances described in Condition 2;
 - b. The Operator receives written authorization from the District Manager that permits the Operator to resume use of the Site;
 - c. The Operator fully meets any stipulations or actions deemed necessary by the District Manager prior to resuming use of the Site;
 - d. The Company must submit an Application to amend the Approval to the Ministry, if required or if directed by the District Manager, within thirty (30) days of resuming use of the Site. The Company must notify the District Manager of this submission.
8. The Hauled Sewage shall be screened during or prior to unloading to a Dewatering Trench at the Site to ensure foreign objects are removed. Screened materials shall be removed from the Site and disposed of at a location approved to receive material of this type for final disposal. The following types of screens are acceptable for reducing foreign objects:
 - a. Bar screen with half ($\frac{1}{2}$)-inch opening between parallel bars; and
 - b. Screen with square or round openings, each of which is not greater than three-quarter ($\frac{3}{4}$)-inch square in diameter.
9. Hauled Sewage shall be discharged into the Dewatering Trench at the shallow end of the trench with a splash plate or chute used to dissipate the energy of the liquid entering the trench in a manner that will not permit erosion or trench bank de-stabilization.
10. The Operator shall ensure that only one Dewatering Trench serves as the “active receiving trench” at the Site at any given time.

11. Once a Dewatering Trench is actively receiving Hauled Sewage, it shall continue to be used as the active trench at the Site until such time that the Operator has determined the trench should cease to be the active trench and so long as the trench is being operated in accordance with Conditions 4(12), 4(13) and 4(14).
12. After a Dewatering Trench is no longer the active receiving trench, that trench shall be rested for at least twelve (12) months before being used again.
13. The volume of Hauled Sewage deposited in a Dewatering Trench in any twelve (12) month period shall not exceed four (4) times the holding capacity of the trench.
14. Trenches shall not be filled to a level closer than 150 mm below the point where the upper reaches of the trench meets the natural ground surface.
15. Trenches shall be used in an alternating sequence in order to maximize the "rest period" between uses each year.
16. For every Dewatering Trench, the trench shall be cleaned to expose the native soils after any "rest period" and prior to re-use. The dewatered sludge shall be removed from the bottom of the trenches and appropriately disposed of at a site approved to receive material of this type for final disposal.
17. For every Dewatering Trench, vegetation shall be removed from the trench prior to use where the trench has been inactive for extended periods.
18. A sign shall be posted in a prominent location at the Site entrance, clearly stating the name of the person who owns the property comprising the Site, the name of the Operator, Approval Number, the hours of operation and contact telephone number to call with complaints in the event of an emergency.
19. A sign shall be posted next to each individual Dewatering Trench that clearly indicates the identification number assigned to that trench.
20. During non-operating hours, the Operator shall ensure that the Site entrance and exit gates are locked and the Site is secured against access by unauthorized persons.
21. Records shall be maintained of the dates and volumes of Hauled Sewage discharged into each Dewatering Trench. These records shall be utilized to determine the sequence of trench utilization as required

in Condition 4(15).

22. Discharge of Hauled Sewage is prohibited in any area where the activity is or would be a Significant Drinking Water Threat as defined under the CWA.
23. In the event that the separation distances set out in Condition 2 can no longer be met, the Company shall forthwith notify the District Manager in writing of that fact.

5. STORAGE

1. No Hauled Sewage shall be stored pursuant to the Approval at this Site.

6. RECORD KEEPING

1. The Company shall maintain written records in a log book detailing the following:
 - a. a complete and up-to-date record identifying the active receiving Dewatering Trench and showing the date and volume of Hauled Sewage discharged into each trench at the Site;
 - b. the nature of any spill or upset occurring at the Site and the actions taken to clean-up the spill or upset and the steps taken to prevent a re-occurrence; and
 - c. all complaints received related to the Site or its operations and any actions taken to address complaints.
2. All records and monitoring data required by the conditions of this Approval must be kept on the premises of the Company and of the operator of the Site for a minimum period of five (5) years from the date of their creation.
3. It is a condition of this Approval under the Act that the Company must forthwith, upon the request of a Provincial Officer or other authorized ministry employee, permit Provincial Officers to carry out inspections authorized by section 156, 157 or 158 of the Act, section 15, 16 or 17 of the OWRA, R.S.O. 1990 or section 19 or 20 of the PA, R.S.O. 1990 of any place, other than any room actually used as a dwelling, to

which this Approval relates.

7. SITE CLOSURE

1. The Site shall be closed in accordance with the Closure Plan that accompanied the application for Approval.
2. The solids residue, when removed from the Dewatering Trenches at closure, shall be disposed of or used at a site approved to receive this type of waste.

8. CESSATION DATE OF WASTE ACCEPTANCE

1. The Company shall not accept Hauled Sewage at the Site after the date listed as the cessation of waste acceptance date below.
2. By no later than six (6) months prior to the cessation of waste acceptance date, the Company shall notify the Director of whether it intends to cease operations at the Site or whether it intends to submit an application to the Ministry for an amendment to the Approval to extend the cessation of waste acceptance date.
3. The cessation of waste acceptance date for this Approval is December 1, 2025.

SCHEDULE "A"

This Schedule "A" forms part of this Approval:

1. Application for Approval of Hauled Sewage (septage), Sewage Biosolids and Other Wastes, dated April 8, 2020, and signed by Darren Arquette of the Company.
2. Emails dated August 12, 2020, August 27, 2020, August 28, 2020, September 17, 2020, October 7, 2020, January 8, 2021, January 11, 2021, January 14, 2021, April 23, 2021, April 27, 2021, providing additional information and documentation, from Dwight Eide of Terra Technical Services Ltd.

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

REASONS

1. The reason for Condition 1 is to clarify the legal rights and responsibilities of the Company.
2. The reason for Condition 2 is to ensure that the Dewatering Trenches are constructed in a manner that will promote effective effluent treatment. In addition, the Condition ensures that minimum acceptable separation distances are maintained to minimize the risk of unacceptable impacts on nearby drinking water wells and surface waters.
3. The reason for Condition 3 is to ensure that staff can identify Site problems and deal promptly and effectively with any spills and upsets, and any public complaints that may occur.
4. The reason for Condition 4 is to ensure that the Site is operated in a manner which does not result in a nuisance or a hazard to the health and safety of the environment or people. In addition, the Condition ensures that the type of Hauled Sewage material that is discharged into the Dewatering Trench is of a nature that can be effectively treated by the trenches, and that all required separation distances are met to minimize the risk of unacceptable impacts to groundwater and surface water. The Condition also ensures that the Dewatering Trenches are operated in a manner that minimizes the risk of exceeding the treatment capacity and the risk of overflows.
5. The reason for Condition 5 is to ensure Hauled Sewage is stored in a manner that minimizes the likelihood of spills and that does not present a hazard to the health and safety of the environment or people.
6. The reason for Condition 6 is to ensure that the Site is operated in accordance with the application and supporting information submitted by the Company, and not in a manner which the Director has not been asked to consider.
7. The reason for Condition 7 is to ensure that the established plan for site closure is implemented for the long-term health and safety of the public and the environment. Condition 7 also requires the proper disposal of Hauled Sewage solids residue that is removed from the Dewatering Trenches.
8. The reason for Condition 8 is to ensure a periodic review of the instrument occurs to ensure the Site operations and associated impacts have not resulted in adverse effects on the land as a consequence of continuous long-term use.

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
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*** 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 27th day of August,
2021

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

JG/

c: District Manager, MECP Timmins
Dwight Eide, Terra Techncal Services Ltd.